

DUAL EMPLOYMENT AND DUAL COMPENSATION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of the unfinished business.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 7381) to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the armed services, and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the majority leader has 60 minutes on the bill, and the minority leader has 60 minutes on the bill.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. I thank the distinguished majority leader.

I had intended to offer an amendment to H.R. 7381, the so-called Dual Compensation Act. The amendment would eliminate Senate confirmation of nominations of U.S. postmasters in the top three classes. The amendment would enhance the efficiency of the postal service by extending to postmasters all the merit service principles which now apply to classified Government personnel.

In my judgment, Senate confirmation of the nominations of postmasters is a carryover from horse-and-buggy days, when the country was far smaller, our Government was far less busy, and much more time was available to Senators.

For Senators to spend their time scrutinizing the qualifications of a postmaster in "East Overshoes" does not make any sense. We know we do not do it. We rely on those who are partisans in our States to make recommendations to us. To be frank about it, our partisans do the best they can to assess the qualifications of postmasters; but the only qualification on which they will insist, whether they be Republicans or Democrats, is that the nominee be a good party worker or be active in the party and have participated in political activities.

How can any postal employee aspire to be postmaster when his employment by the Government prohibits political activity, and Senate confirmation makes political activity a virtual necessity for Senate approval of postmasters?

This single ridiculous legal requirement that the U.S. Senate act on the confirmation of the nominations of postmasters compels Senators to devote many hours of valuable time and requires excessive staff time, whenever the Senator belongs to the same party as the President.

I tried to keep a record of the amount of time we had to spend in our office, which is fairly typical, on postal appointments. It is shocking. It is a ridiculous waste of time for the staff and for the Senator.

The only argument for immersing postmasters in politics this way is that the nominations of postmasters give Senators a chance to build some patronage, to enhance their position in the political party, to give them some influ-

ence, so that they can build a little organization in the State. We who have had experience for even a little while realize how empty such patronage is.

From a political standpoint, the patronage leads to nothing but grief. If we recommend a man for appointment, and he becomes postmaster, then he cannot take part locally in political activity. The county chairman may have served faithfully in that post, but if he is made postmaster in a little town, he has to remove himself from political activity. That does not make sense. Also, for every successful appointee there are from 2 to 10 or more unhappy or even infuriated "rejectees" who will long resent their Senator's action.

I have had pending for years in the Committee on Post Office and Civil Service a bill to stop this nonsense. I know at least one other Senator, the distinguished senior Senator from Delaware [Mr. WILLIAMS], has had a similar bill pending for many years. I introduced my first bill for this purpose several years ago and have reintroduced it at each session, to end this ridiculous situation, but I cannot obtain hearings.

Under the circumstances, my only alternative is to call up my bill as an amendment, which I hesitate to do on this occasion, because it is not directly related to the dual compensation bill. But apparently there is no other bill to be reported by the Committee on Post Office and Civil Service this year which could be amended and would have a chance of passage except this particular one.

Mr. President, I am happy to yield to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I join in support of the argument of the distinguished Senator from Wisconsin. The Senate should not continue the farce of requiring the Senate confirmation of the nominations of postmasters. Certainly I am not qualified to pass on the merits of postmasters in Wisconsin. I do not have the time to study the background of all these individuals.

Sooner or later we should pass a bill similar to that which both the Senator from Wisconsin and I have introduced. Several years ago I introduced a companion bill to achieve the same objective. The sooner we pass such a bill and take postmasters out of the political arena the better it will be for the postal service, the Senate, and the country.

If the Senator from Wisconsin does not press his amendment now I will join him in continuing to urge the chairman of the Committee on Post Office and Civil Service to afford us the opportunity to have hearings on one bill and to get some action on it. The time is long overdue when the Senate should stop this procedure.

Mr. PROXMIRE. I thank the Senator from Delaware.

Mr. LAUSCHE. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield to the Senator from Ohio.

Mr. LAUSCHE. Do I correctly understand the Senator from Wisconsin to

have said that he has a bill pending upon which he cannot obtain hearings in the committee?

Mr. PROXMIRE. I have written to the chairman of the Committee on Post Office and Civil Service who, in my estimation, is one of the finest Members of this body, a most considerate and thoughtful man, but I have not been able to get any hearings. I have asked for hearings, but hearings have not been forthcoming.

Mr. LAUSCHE. The Senator would not seek to amend the pending bill—

Mr. PROXMIRE. I had intended to amend the pending bill, but I hope that the distinguished Senator from South Carolina, who has been most considerate and is such an able man, will consider the possibility of scheduling hearings, if not this year, which I know is very late, then perhaps next year, if I return to the Senate.

Mr. JOHNSTON. Mr. President, in reply to the Senator from Wisconsin, let me say that I believe he realizes the situation in—

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield 4 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 4 minutes.

Mr. JOHNSTON. I am sure the Senator realizes that there have been many bills in the committee. They should be acted upon and will require hearings, but I assure the Senator from Wisconsin that there will be hearings on his bill as soon as possible.

Mr. PROXMIRE. Will the Senator indicate that in the event hearings are not possible this year, hearings will be held as early as possible in 1965?

Mr. JOHNSTON. I agree to that. Of course, I am not holding up the measure. It was taken up in committee and discussed. We went over the bills before the committee. The committee thought it best not to try to press for action immediately; but we should certainly have hearings on the pay bill and other matters which are believed to be important.

Mr. LAUSCHE. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I yield.

Mr. LAUSCHE. Under the Senator's bill, how would the appointments be made?

Mr. PROXMIRE. The appointments would be made strictly on the basis of a civil service examination, on the merit principle, on the basis of the person being qualified through a civil service examination.

Mr. LAUSCHE. Thus liberating Senators from the responsibility of making approvals solely upon the word of political leaders back home and nothing more, because a Senator does not have the time to delve into the matter as deeply as he would like to in making his approval.

Mr. PROXMIRE. The Senator is correct. It would have three effects. First, it would mean that a person would be appointed on the basis of merit. Second,

it would mean a far greater incentive in the postal service for people to aspire to the top jobs, which in most local communities would be that of postmaster. Third, Senators would be relieved of a burden which is excessive and irrelevant.

Mr. LAUSCHE. I thank the Senator very much.

Mr. PROXMIRE. I thank the distinguished Senator from Ohio very much.

Mr. YARBOROUGH. I thank the distinguished Senator from Wisconsin for not pressing his amendment at this time, since the bill before us is the dual compensation bill relating solely to one limited field of compensation and not to the matter of qualification and appointment, and particularly since the matter of post office patronage is basically one for the House of Representatives. This is a problem for the House, and if we start in the Senate to—

Mr. PROXMIRE. The House does not confirm nominations of postmasters. The Senate does. It is true that some Senators have delegated a great deal of that patronage to the House. But we in the Senate have the basic responsibility. Conversations with House colleagues and the experience I have gained over a number of years convince me that they, too, recognize that this is a burden, and that it is far more of a political liability than a political asset to them.

I know of very few people who really want this system and who think it is essential politically, or in any other way. Almost everyone agrees that it is not good government.

Mr. YARBOROUGH. I thank the Senator for withdrawing his amendment at this time.

Mr. President, I yield myself 5 minutes upon the bill.

In answer to the distinguished Senator from Delaware (Mr. WILLIAMS), who stated that H.R. 7381 had no effect on civilian military retirement, and that it applied to the dual compensation bill rather than the retirement bill, I ask unanimous consent at this time to have printed in the RECORD a letter from Mr. Andrew E. Ruddock, Director of the Bureau of Retirement and Insurance of the Civil Service Commission, dated July 14, 1964, explaining how the retirement law works.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE COMMISSION,
BUREAU OF RETIREMENT AND INSURANCE,
Washington, D.C., July 14, 1964.

HON. RALPH YARBOROUGH,
Chairman, Subcommittee on Civil Service,
Committee on Post Office and Civil Service,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your oral request for a review of the existing provisions of the Civil Service Retirement Act governing the creditability of military service and for comment as to whether enactment of H.R. 7381 in present form would alter these provisions.

Under existing law, once an employee covered by the Civil Service Retirement Act completes 5 years of civilian service, the act authorizes credit for all of his past periods of honorable active military service, subject to the following exceptions:

1. Credit for military service is barred if the employee receives military retired pay, unless the retired pay is awarded—

(a) On account of service-connected disability which was incurred in combat with an enemy of the United States or was caused by an instrumentality of war in line of duty during a period of war, or

(b) Under chapter 67 of title 10, United States Code (providing retired pay at age 60 after 20 or more years' non-Regular service by members of Reserve components of the Armed Forces). (5 U.S.C. 2253(b).)

2. Credit is also barred for periods of military service performed after December 1956 (other than periods covered by military leave with pay from a civilian position) if the employee or his survivor is, or upon proper application would be, entitled to monthly old-age or survivor benefits under the Social Security Act based upon any wages or self-employment income of the employee. This credit bar operates from the commencing date of annuity if the social security eligibility exists at that time. If social security eligibility arises after annuity has commenced, the annuity is recomputed to exclude credit for the post-1956 military service from the point of social security entitlement. (5 U.S.C. Supp. IV, 2253(j).)

These Retirement Act provisions relate to service credit only and do not affect an individual's right to retired pay or other benefit deriving from military service. Neither the Retirement Act nor the retired pay statutes contain any provision prohibiting the concurrent receipt of military retired pay and civil service annuity if entitled to both.

For convenient reference, I am enclosing several copies of our informational leaflet BFI 46-228b which explains, in question and answer form, the existing rules on the crediting of military service under the Retirement Act.

H.R. 7381, as passed by the House and reported by the Senate Committee on Post Office and Civil Service, proposes no change in the present method (above outlined) of crediting military service for annuity purposes under the Civil Service Retirement Act.

Sincerely yours,

ANDREW E. RUDDOCK,
Director.

Mr. YARBOROUGH. For further clarification, Mr. Ruddock's letter explains the provisions of the present law on retirement. It states that title 5, United States Code Annotated, section 2253(b), provides retired pay only in the event of service-connected disability which was incurred in combat with an enemy of the United States or was caused by an instrumentality of war in line of duty during a period of war, or in the case of one who is eligible for military retirement benefits upon the completion of 20 or more years of non-Regular service at the age of 60.

I emphasize that this is a provision of the existing law, and that H.R. 7381 would not in any way change the retirement provision of existing law. We are dealing solely with employment and compensation under dual compensation.

In our discussion of July 10, the Senator from Montana (Mr. METCALF) summarized his reasons for opposing certain provisions of this bill. He propounded 11 interrogatories which are printed on page 15644 of the CONGRESSIONAL RECORD for July 9, 1964.

Mr. President, I hold in my hand the answers to those 11 interrogatories, and since the distinguished Senator from Montana (Mr. METCALF) who propounded them is not present in the Chamber at this time, I ask unanimous consent to have these answers printed in the RECORD.

There being no objection, the interrogatories were ordered to be printed in the RECORD, as follows:

First. H.R. 7381 is not antilabor and anti-veteran. Veterans' preference is modified by counting for purposes of reduction in force only those periods of service during a national emergency, armed conflict, or war. Peacetime service will no longer be counted in computing preference over nonveterans or veterans not entitled to preference. Any veteran having less than 20 years' service, who therefore does not receive the military retirement unless he is retired on disability, will continue to enjoy all veterans preference. No veteran presently employed by the Government will lose any preference.

Second. There is no evidence that H.R. 7381 will cost any money. In fact, there will be modest savings caused by the reduction in retirement pay for retired Regular officers who obtain civilian positions.

Third. The "buddy system," as it is popularly known, is effectively proscribed by section 204 of the bill. A 6-month waiting period will be necessary before any retired military person can be employed anywhere in the Department of Defense unless unusual conditions exist and requirements specified in the bill are met in each case.

Fourth. H.R. 7381 does not pervert or distort congressional policy in regard to retired military personnel. H.R. 7381 embodies new policy reflecting the needs of the Government in the atomic age for securing the services of highly skilled personnel.

Fifth. There is no evidence demonstrating this bill is economically unsound. Positions in the Federal service need to be filled with the best people we can find. It does not cost a cent more to hire a retired military person to fill a civilian position. In the event he is a retired Regular officer heretofore barred from the Federal service, slight savings will be incurred.

Sixth. Veterans' preference is modified only for purposes of reduction in force and the accumulation of annual leave. These modifications apply only to persons retired from the military with at least 20 years' service who receive retirement benefits.

Seventh. The 1962 employment figures show that approximately 3 percent of our civilian employees are retired military people. Under present law, the only retired military man who cannot be employed by the Government is a Regular officer retired for length of service. Since 85 percent of the military are enlisted personnel and about one-half of the commissioned officers are Reserve, and because some officers retired on disability, the number presently barred from Federal employment who would become eligible for employment is not more than a few hundred a year.

Eighth. Relief provisions for warrant officers and Reserve officers are designed to correct an inequity caused by incorrect administrative interpretation of the present law. These employees were paid for services performed. It would be unconscionable to require them to reimburse the Government.

Ninth. In pursuance of White House efforts for economy in Government, H.R. 7381 modernizes employment laws so that the Government can obtain the best qualified personnel available.

Tenth. There are five different retirement systems operated by the Government: Civil service, Foreign Service, railroad retirement, social security, and military retirement. Different rules apply in different cases. A retired career civilian employee may enter the military service, receive the full pay of his military rank and his full annuity. There are many examples of this exact situation.

Eleventh. It is difficult to see how modernized dual compensation laws to allow people to go to work will result in unemployment. On the contrary, it will create opportunities

for employment which does not presently exist.

Mr. YARBOROUGH. Mr. President, I hope that other Senators will find these answers responsive to the questions raised during the recess for the Republican Convention. The staff had had time to diligently work on this problem. The answers were prepared by the aid of the staff, and they have boiled them down to less than two letter-size pages. I commend the staff for the fine work they have done. They have had some time and have done their work well.

With these clarifications and the explanation that was made when the bill was taken up July 9, and which appears in the CONGRESSIONAL RECORD from pages 15638 through 15644, I feel that it would be merely repetitious for me to explain the bill further at this time.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. WILLIAMS of Delaware. I thank the Senator from Texas for putting Mr. Ruddock's letter in the RECORD. Many points were raised in the discussion on July 9 at which time the bill was before us, and while I recognize that the committee's questions are answered in the letter, for clarification I should like to ask the Senator if I am correct in my understanding that the bill as it is now before the Senate does not in any way affect or change existing law as regards retirement benefits?

Mr. YARBOROUGH. The Senator is correct. We have had this matter before the Bureau of Retirement Insurance since our discussion here this afternoon, and they assure me that it would not in any way affect or change the retirement benefits.

Mr. WILLIAMS of Delaware. One other question in connection with existing law on retirement, I should like to raise this question because I believe it is one which should be given consideration either on this bill or in connection with the next retirement bill. I am referring particularly to the Ruddock letter as it outlined a situation in paragraph 1(b), which reads as follows:

Under chapter 67 of title 10, United States Code (providing retired pay at age 60 after 20 or more years' nonregular service by members of reserve components of the Armed Forces).

In this situation does this individual get credit for the same 20 years' military service in computing both his military retirement and his civil service retirement assuming he works 5 years minimum under civil service? Am I correct that in retiring he can pick up, No. 1, his military retirement benefits for his 20 years or more in military service? That would be No. 1 retirement. Second, as a result of his 5 years of civilian service under the civil service could he retire and draw compensation for this 5 years' civilian service plus the 20 years of military service?

In other words, would he get credit for 25 years under civil service retirement even though he had only worked 5 years. This is what I had in mind when

I referred to this as giving a man double credit for his military service.

Mr. YARBOROUGH. That is correct. The distinguished Senator from Delaware has correctly interpreted the law. That is the existing law. That is not affected by the bill. Ours is a compensation law, not a retirement law.

Mr. WILLIAMS of Delaware. I think the question of dual retirement benefits for military service should be pointed out. How would that work if a man in the same category were elected to Congress and were to serve 5 years in Congress? Would he be eligible for the dual retirement in the same manner?

Mr. YARBOROUGH. As I understand it, the congressional retirement is different from the service retirement.

Mr. WILLIAMS of Delaware. Will the Senator from Texas, the Senator in charge of the bill, obtain the answer and have it placed in the RECORD?

Mr. YARBOROUGH. We shall obtain the answer and have it printed in the RECORD. That proposal applies to a very limited group.

Mr. WILLIAMS of Delaware. It may be a limited group, but it would be an unusual benefit if it were to apply to Members of Congress. Assuming that the \$30,000 a year salary is in effect 5 years from now, it would mean an additional \$15,000 a year in extra retirement benefits for a man with 20 years' military service as described in the letter from Mr. Ruddock. At a time when we are debating whether we can afford to pay \$1,200 to those who had military service in World War I. It certainly looks strange now to give another group an additional \$15,000 a year. I would agree that the individual involved should have the right to select the higher of the two, but not to receive both retirements.

Mr. YARBOROUGH. I know of no Senator who would qualify for this.

Mr. WILLIAMS of Delaware. But it would be possible if a man were working in any department of the executive branch for him to pick up this dual credit for military service in computing his retirement?

Mr. YARBOROUGH. Yes. That is the existing law. But that is a limited group. That concerns those in the Reserve. A Regular Army officer could not do that, under the existing law, or under dual compensation.

Mr. WILLIAMS of Delaware. I realize that it is a very limited group. But that does not mean it is right. Does the Senator not feel that the committee, when it brings out a bill that deals with retirement, should take into consideration whether the formula does constitute an unwarranted pension benefit in regard to a particular group?

Mr. YARBOROUGH. Undoubtedly the question of whether they have favored positions will be studied. The present law deals only with the compensation of a limited group of retired officers who are retired on length of service and not disability.

We have worked on this problem for 9 years. The work started before I came to the Senate. It took that long to make this much progress. I promise speedier progress on this question.

Mr. WILLIAMS of Delaware. May we have the assurance of the Senator that it will be studied?

Mr. YARBOROUGH. Yes. Our committee will comply with the request of the distinguished Senator from Delaware. We shall instruct the staff to include that in the subsequent study when the retirement laws are amended.

Mr. WILLIAMS of Delaware. Mr. President, I think we should get that assurance. Since the bill before us does not deal with the retirement benefits, I shall not press the point at this time. However, I think these are questions which should have been given a little more careful consideration by the committee before it reported the bill.

The Senator from Montana [Mr. METCALF], who had raised some of these questions, is unable to be present. He has a prepared statement in which he points out his reasons for being disturbed over some of the provisions in the bill and why he felt the bill should have been given a little more careful consideration before being reported by the committee.

Mr. President, upon his request I ask unanimous consent that the statement prepared by the Senator from Montana [Mr. METCALF] on H.R. 7381 be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY LEE METCALF

As I indicated in our debate on this bill recently, I am disturbed by some of its provisions and omissions. I am prepared to suggest that it be sent back to the Committee on Post Office and Civil Service with instructions that it be restricted to two points. The balance of the proposals should be resubmitted next year after appropriate, and I would hope, more detailed and critical study. The committee should report back a bill which would cancel all obligations of officers found to have been illegally overpaid down to the date of the Comptroller General's ruling of July 9, 1962, and permit the employment of Federal civilian personnel in more than one position up to the length of the Federal workweek, plus a ceiling on total pay.

I assume that these provisions of the bill are relatively noncontroversial. Certainly the ban on two civilian positions hampers several agencies and if guarded by an hours-per-week limit, as in this bill, plus a ceiling on compensation, which is not in this bill, it should be acceptable. As regards the former officers who have illegally received dual compensation, we should avoid working a hardship on innocent citizens even though the total involved is estimated to be \$16 million, most of that sum having been paid out by the Defense Department. In reporting this bill back, I would hope that the committee would include in its report a statement of the total amount involved, by Federal agency, and include the name, military rank, and civilian position of every individual involved who has been illegally paid more than \$500. I think the Congress has a right to know which agencies were delinquent in enforcing the law and the extent of their delinquency. I do not think that innocent persons should be penalized for agency delinquency, but since the agency which is apparently the chief offender is the one department which should be best informed on laws affecting military personnel I see no reason why all the facts should not be made available.

In reporting this bill the Committee on Post Office and Civil Service asserted that it had four basic goals in mind.

First, it intended to codify and simplify Federal law on dual compensation, a commendable aim, a job long overdue, but not one to be achieved at the expense of more important principles. A part of this first purpose, actually a second purpose was to afford what it terms "relief" for the two groups of officers found to be overpaid by some \$16 million. I am agreeable specifically to the second part of this first aim, and generally to the first part.

The second purpose as stated in the committee's report was to remove the present ban on dual compensation for retired regular officers of the U.S. Armed Forces. The committee reports that under present law such an officer is prohibited from accepting Federal employment because of the maximum salary limitation established under the Dual Office Act of 1894. Perhaps I do not grasp the complexities of these matters as quickly as I should, but are we being advised that the Dual Office Act of 1894 absolutely prohibits civilian employment of a retired Regular officer? That such an officer cannot give up his military pension, temporarily or permanently, and qualify for any job he wants and can get? If the ban is absolute, then I do not believe this to be just or right.

The third purpose stated by the committee report is to modernize dual compensation to remove the \$2,000 per annum ceiling on the amount of compensation any person may receive from the Federal Government for more than one civilian job. I do not think this is a controversial purpose or provision, except, as I have indicated—I think there should be a ceiling on the amount of compensation any individual holding more than one position can receive as long as we have millions of unemployed. This bill provides for no ceiling in salary—only in hours. This is unjust and unfair.

To modernize a law we do not need virtually to erase it from the books, and I urge that this section be modified to place a ceiling on such dual compensation. The ceiling should not be higher than 1½ times the Federal minimum wage. Indeed the provision could be so written as to make it self-adjusting over the years, automatic modernization.

The fourth stated purpose of this bill is to "establish . . . a more equitable employment system" by allowing regular officers, retired for length of service, or voluntarily, I presume, to take full-time civilian jobs with the Federal Government and still draw part of their military retirement pay. The parts of the bill pertaining to the achievement of this purpose are those which have excited the most firm and articulate opposition.

The urgency of this bill, as I understand the matter, is primarily that of giving relief to the officers who were overpaid some \$16 million. I understand this urgency and am sympathetic to giving them relief. Frankly, I do not consider the other sections as being urgent at all, but since the one modernizing restrictions on dual compensation for civilian jobs is apparently not highly controversial I see no reason why we should not deal with it this session.

I am firmly opposed, however, to the other revisions proposed in this bill until there has been a great deal more fact gathering and an adequate set of hearings and a more comprehensive report is available for study.

My first interest in this bill as it came from the committee was aroused by the alleged urgency of the measure, because of the pending necessity for securing reimbursement of the overpayments—but no figures were forthcoming on the amount of overpayments. The committee report on page 10 flatly stated that the committee was unable

to obtain any specific cost information on the amount of the overpayments. Subsequently, in the recent debate, the figure of slightly less than \$16 million was offered by the chairman of the subcommittee, Mr. YARBOROUGH.

This is certainly a bare-bones figure. We are offered no explanation as to what departments made such overpayments and to whom, nor are we even offered an explanation as to why the Comptroller should order repayment and so advise the agencies and 2 years later the committee is compelled to advise this body that the cost figure was not available. This reticence is peculiar, at least, and I would like the committee in its reconsideration of this bill not only to elicit additional information but also to indicate to the Senate why this information was so difficult to come by.

Before we make any changes in the law on dual compensation, beyond that minor change referred to earlier, I think the appropriate committees should conduct hearings on the whole Federal retirement system. I see no more reason for being concerned about dual compensation and the alleged discrimination against regular military officers than I do about the glaring differences in the various Federal retirement and social security programs.

On a simple bookkeeping basis, what justification is there for requiring a citizen to pay social security taxes; requiring a Federal civilian employee to pay 6.5 percent of his salary into a retirement fund; and levying no tax on the military? I think this is obvious and unjustifiable discrimination and should be brought to an end. It is my understanding that the civil service retirement fund is inadequate for the requirements which will be made on it in future years. Why. How inadequate? To what extent do the claims of retired military people on the civil service funds, deriving from their special privileges in counting military time toward retirement, constitute a drain on the civil service fund? How big is this drain?

What valid arguments are there against establishment of a military retirement fund equivalent to the civil service retirement fund so that retired military men shifting to the civilian payroll can get credit for their military service—but so that the retirement fund can be the beneficiary of the sums accumulated in the military fund for the individual involved?

It has been alleged that the military retirement obligations will mount rapidly in the years ahead and will soon reach \$1 billion a year. To what extent could this rise be offset by adjusting the relationships between a military pension fund and a civilian pension fund? Will the provisions in this bill, pending here today, allowing \$2,000 plus half of the remaining pension benefit for regular military officers, encourage early retirement and step up the cost of military retirement?

It seems to be that we cannot separate the laws on dual compensation and retirement, despite the honest effort made to do so here in our recent discussion of this measure. If pensioned retirement poses questions for civilian civil service employees, then it is quite unrealistic to say that this bill does not affect the retirement laws. There is no doubt that this bill does affect civil service employees; it does affect their retirement fund; it affects the total cost of Federal retirement programs—and it should be restudied with this in mind.

I firmly believe that some of the inconsistencies in Federal law as regards the right to retire with compensation can be eliminated or reduced. What set of circumstances in real life calls for a cut in the social security payments when wage income rises above \$1,200, and knocks out social security payments entirely at about \$1,700?

Yet a retired enlisted man or Reserve officer can draw his retirement benefits regardless of his wage earnings.

I am not prepared to say at the moment in which direction the change should be made. But I do not believe there is any justice in telling a hard rock miner in Montana that if he earns a few dollars in his old age his social security will be reduced or eliminated entirely, while his son, retired from the military, can draw his full retirement benefits regardless of his other earnings. Surely we can achieve more equity in the law than this.

The original justification for imposing a penalty on social security recipients was a make-work concept. We were going to provide some old-age aid, but require that the aged yield jobs to young people.

As nearly as I can gather, the original justification for an inflexible and very generous retirement policy for the military was to offset low wages and facilitate maintaining a youthful military force. Possibly these are also the justification for not withholding retirement taxes from military salaries. I submit that this is poor logic and poor administration on withholding taxes—and places a burden on the civil service retirement fund. I submit that a generous retirement program is a poor substitute for adequate military pay. And I would like to see a study made of the connection between a generous retirement program and recruitment of military personnel. It is facts I would like to hear, not rationalizations.

I doubt very much that the marked differences between military and civilian retirement rights can be justified in the clear light of a committee hearing. Some differences, very well, but not the present sharp contrast. One requires contributory payments; the other does not. One is very generous in terms of the length of service required, the other is not. One is, with minor exceptions, irrevocable; the other is a fragile thing—the civilian retirement—a fragile thing which can be reduced or eliminated on small provocation.

I submit we need a study of all of these things before we undertake to enact legislation this comprehensive.

I think the dual compensation laws should be modernized. I think they should be equitable. I think they should cover the waterfront. In general, I think dual compensation should be eliminated—that this should be the guiding principle of those drafting the new legislation. If we cannot make the dual compensation laws, as revised, yield immediate equity because of standing commitments to classes of the military already in retirement, then I submit that the laws should be so written as to achieve equity among all military retirees after the date of enactment.

I do not believe that the present bill achieves equity. I do not believe that its accomplishments outweigh its shortcomings. I don't think it is the best bill by any means that can be drawn on this subject, and I urge that another attempt be made.

I have studied many hearings on many bills, and I submit to you in all charity that these hearings leave more questions unasked and unanswered than any other set of hearings I can recall.

I trust no member will take these remarks personally. They are not intended as criticism of any person or committee. The burden of our work is heavy. Time is always at a premium—but I must insist that I do not believe that this measure should pass this year. I believe that it should be recommitted with instructions.

Special privilege if we must have it must serve a vital public function. It should not be suffered as a result of hurried compromise.

Our responsibilities are broad—we have time and the will to write better law—it is

former Texas railroad commissioner and a State senator. His home was at 505 South Chilton.

Survivors include his wife, Mrs. Ora Mayfield; two sons, John S. Mayfield, of Syracuse, N.Y., and Earle B. Mayfield, Jr., of Dallas; two brothers, John P. Mayfield, of Corsicana, and Dr. Jack Mayfield, of Houston; and a sister, Mrs. Irwin Hill, of Houston.

Pallbearers were T. C. Harvey, Jr., Ocie Grimes, George Jones, James W. Aston, James D. Berry, Judge Joe Estes, Brady Gentry, Joe Swann, Fred Hall, and Pete White.

Honorary pallbearers were James S. Gresham, C. N. Avery, Ben Sutton, James True-love, Henry Carter, Wilton Daniel, and Gus Pinkerton, Sr. Members of the Marvin Methodist Church Board of Stewards and Friendly Bible Class also were honorary pallbearers.

[From the Tyler (Tex.) Courier Times, June 25, 1964]

SENATOR EARLE B. MAYFIELD

The death of Senator Earle B. Mayfield Tuesday ended a life that had contributed much to Tyler, Tex., and the Nation.

The career of Senator Mayfield was a brilliant and unusual one. A native of Overton, he engaged in business here for a few years after his graduation from Southwestern University in Georgetown in 1900.

Then he moved to central Texas and in 1906 was elected as the youngest man ever to become a State senator to that time, though he had not resided in the district long enough to cast a ballot himself.

After 6 noteworthy years in the State senate, during which time he produced an impressive array of farsighted legislation that is still in effect today, he became the youngest man ever elected to the Texas Railroad Commission in 1912.

He was a highly effective railroad commissioner in those days when the commission had more business concerning railroads than oil.

After 10 years on the railroad commission, he was elected to the U.S. Senate in 1922, becoming the only Texan ever to serve in both the Texas Senate and the U.S. Senate. His impact on the national legislative body was noteworthy in that he succeeded in passing more legislation through the upper Chamber than any Member had ever done during a 4-year period.

Senator Mayfield's work in the State senate included chairmanship of the Senate committee that succeeded in establishing the State Department of Agriculture. He authored bills establishing agricultural experiment stations. He was joint author of the Mayfield-Jenkins bill outlawing bucket shops in Texas. He worked for judicial reform, a cash basis for State operations, a better educational system, and more funds for State hospitals. A series of railroad bills also bore his stamp.

In the U.S. Senate he passed a measure giving railroads the right to extend their lines into undeveloped sections of Texas without having to get permission of the Interstate Commerce Commission—a notable decentralization of Federal power in one field. He introduced a large number of bills on agricultural and transportation matters.

In 1924 he headed the Texas delegation to the Democratic National Convention in New York. He was also a delegate to the Democratic National Conventions of 1928 in Houston and 1932 in Chicago.

Senator Mayfield returned to Tyler in 1931. He practiced law and served as president of the Mayfield Grocery Co.

An outstanding orator, he believed fervently in the U.S. constitutional plan of separation of powers as "the greatest ever devised by the genius of man."

Senator Mayfield kept himself informed of current events at all times. He was a devoted reader of newspapers and never hesi-

tated to offer his comments upon current events and to offer constructive criticism or commendation.

He was a cheerful and friendly person, beloved by the many thousands of citizens with whom he regularly came in contact.

In his last large-scale public appearance, he was invited to speak to the Texas State Senate in Austin last year. His address was an eloquent plea for responsibility in government and freedom in individual life under the Constitution.

Senator Mayfield will truly be missed in Tyler and all over Texas. He had won, and bore nobly, the title of elder statesman.

DUAL EMPLOYMENT AND DUAL COMPENSATION

Mr. METCALF. Mr. President, on July 9, during the debate on H.R. 7381, the dual employment and dual compensation bill, I introduced into the CONGRESSIONAL RECORD, starting on page 15642, a statement by the American Federation of Government Employees in opposition to that legislation.

Last week, while I was in my State of Montana, inspecting flood damaged areas, I received from the Reserve Officers and Air Force Association a letter which purports to answer the allegations made in the statement by the American Federation of Government Employees.

In the interest of fairness to all parties concerned, and so that more light may be brought to bear on a subject which needs enlightenment, I ask unanimous consent that this letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 17, 1964.

HON. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: We were most surprised by your insertion in the CONGRESSIONAL RECORD for July 9, 1964, of the letter from a local leader of the American Federation of Government Employees in connection with H.R. 7381; the dual employment and dual compensation bill.

We say this, first, because the National Federal of Government Employees is officially supporting H.R. 7381 as reported by the Senate Post Office and Civil Service Committee, and has been active in its development since its introduction last year.

Secondly, we are convinced that you are anxious to see fair play done on this issue. Surely, none of us affected would desire deliberately to distort the admittedly complicated question of dual employment and dual compensation. The arguments cited by the local AFGE representatives are distortions which, upon a little reflection and study, have been found wanting. These are the several main points:

Point 1. That dual employment and dual compensation is peculiar to the civil service. The facts are that it is the limitations on dual employment compensation that are peculiar only to the civil service. A retired military man can go anywhere else on the economy, get a job without restriction or without limitation of pay. Conversely, any man with private means, with earned retirement or retainer pay from any company can be hired by the Government without restriction or limitation on his pay. Only men who have served their country in the military service and, in most cases, must leave the service with retirement pay far less than necessary to support their growing families

are (or should be, they say) restricted from civil service employment or limited in their compensation.

In this same connection there is again brought up the tattered argument that if a civil servant retires and then decides to return to active service with the civil service, he cannot draw his retired pay. The military man is in exactly the same situation. A retired officer or enlisted man recalled to active duty immediately loses his retired pay and is paid at the normal rate for the grade in which he is recalled.

Point 2. That the hiring of military retirees will vastly increase the costs of Government and be a burden on the taxpayer. The AFGE chapter states that "the 'dual compers' now occupy lifetime civil service jobs at double expense to the Government." This is patently untrue. It is further stated that the "proposed dual compensation legislation would increase Federal * * * costs by \$500 million per year." This is utter nonsense.

In the first place, it's obvious that there are a certain total number of civil service jobs, each one at an established rate of pay, that must be filled to do the Government's job. This is the total civil service payroll cost. Even if all military retirees were completely prohibited from accepting civil service jobs the cost would not be reduced one iota. Full salaries must be paid to someone filling the job. Yet, in the meantime, the military retiree, whether he has no employment or accepts a position in the civilian economy, still draws his retirement pay. Therefore, it is easy to see that whether only one or 100,000 military retirees are employed in the civil service the costs to the Government in terms of total civil service payroll costs and total military retirement costs remain precisely the same.

As a matter of fact, a method by which the Government could save money is contained in H.R. 7381. That would be by hiring as many retired regular officers (if they could get them to come to work at reduced pay) as possible. Since each one hired would have his retired pay reduced several thousand dollars, a considerable savings would accrue to Government each year.

Point 3. That military retirement is a system of featherbedding. In this the local director infers that the "early or premature retirement" of military personnel is a deliberate attempt on their part to featherbed and enjoy two careers in the Government. This early or premature retirement is forced on the great proportion of retirees because of military exigencies. Particularly among officers, very few would choose to retire at 20 years but would prefer a complete and full military career. This is not possible because of the composition of the military forces during and subsequent to World War II and the necessity to provide for a flow of promotion and for youthful leadership. This requirement is too well known to require further elaboration.

As far as enlisted men are concerned, most of them are encouraged to retire early after 20 years of service for somewhat the same reason as the officers. However, there is another reason in their case—that is the low level of pay rates for enlisted men does not enable them properly to support and educate their families.

Therefore, virtually all, particularly the Reserve officer and enlisted man accepting involuntary early retirement, must seek other employment. Even if their retirement pay were such that they could enjoy a life of leisure the rest of their years this monumental waste of talent would be a criminal blow to the national economy.

Also, the letter carries the inference that military retirees flock to the civil service. Again, this is not true. Industry, education, even the professions are, in most cases,

**EXCESSIVE FOREIGN OIL IMPORTS
SHOULD BE CUT BACK NOW**

Mr. YARBOROUGH. Mr. President, the situation of excessive oil imports, damaging to our national economy, contributing to unemployment and creating a very real problem for a major segment of the oil industry, is becoming increasingly urgent.

The serious and deteriorating condition of our domestic oil industry is evidenced by steady declines in industry employment, wells drilled, and crude oil prices over the past 7 years. In fact, over these years employment in the oil and gas producing industry has declined by more than 50,000—15 percent of the total industry work force in 1957. Similarly, since 1956, the total number of all wells drilled per year has decreased by 14,500—a 25-percent decrease over this period. Crude oil prices have also declined steadily for the last 6 years and in 1963 were down 20 cents a barrel or 7 percent from the 1957 level.

The Department of the Interior announcement of June 25 that oil imports into the United States for the next 6 months are to be increased more than 70,000 barrels daily over the previous level, adds to the already critical oversupply situation that our domestic industry faces.

In my own State, the Texas Railroad Commission has recently ordered that Texas oil producers operate under the lowest percentage factor for allowable production in 18 months.

This is the fourth straight month that this percentage factor has been reduced.

Mr. President, an Associated Press article from the Houston Post of Friday, July 17, 1964, entitled "August Percentage 18-Month Low, 26.5," is clearly symptomatic of the oil industry's dilemma. I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Houston Post, July 17, 1964]

AUGUST PERCENTAGE 18-MONTH LOW, 26.5

AUSTIN.—The State Railroad Commission ordered Thursday that Texas oil producers must operate next month under the lowest percentage factor—26.5 in 18 months.

The action marked the fourth consecutive month the commission has reduced the percentage factor.

The commission adopted the order after hearing 6 of 13 purchasing company spokesmen say their August purchases will call for a reduction in the monthly quota.

Application of the 26.5 percent of potential formula results in an August production ceiling of 2,794,312 barrels daily.

July production was limited to 2,788,685 barrels daily under a 27 percent order. August 1963, production was ordered held to 2,868,850 barrels daily under a 28.5 percent order.

The previous low percentage factor was 26 in January 1963, the first month the percentage system was used.

Two of the top three purchases, Indiana and Mobil, dropped their nominations one percentage point from last month. Both complained of high surplus crude stocks, Indiana's totaling 3.7 million barrels.

Only four purchasers predicted purchasing decreases from July, while five predicted they will increase buying.

Purchasers' nominations, by percent, in barrels per day: 29—Sun, 107,027; Texaco, 140,000; 28—Humble, 412,440; 27—Atlantic, 76,165; Gulf, 206,110; Sinclair, 100,000; and Standard of Texas, 35,800; 26—Mobil, 230,000; Shell, 165,700; Indiana, 238,000; Cities Service, 81,000; Phillips, 124,736; and Continental, 26,500.

District allowables, in barrels per day, and decrease from July: 1—50,291, down 113; 2—118,522, down 1,691; 3—363,191, down 3,323; 4—213,270, down 2,335; 5—31,101, down 329; 6 (outside east Texas)—130,515, down 1,529; 6 (east Texas)—104,924, down 1,518; 7—B—136,694, down 954; 7—C—121,026, down 1,366; 8—1,145,035 down, 13,937; 9—249,190, down 985; 10—130,253, down 522.

Mr. YARBOROUGH. Mr. President, because of this urgent problem, I have written a letter to Hon. Stewart Udall, Secretary of the Interior, urging consideration for proposals to limit oil import quotas for the next 3 months so as to balance import volumes with the substantially lower demand for petroleum products in the summer season.

I ask unanimous consent to have this letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

HON. STEWART L. UDALL,
Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: I hope you will be able to take favorable action on a proposal which has been submitted to your office to limit oil imports for the next 3 months to 40 percent of the total allocation for the upcoming 6-month period. This emergency action would permit importing companies to import the remaining 60 percent of their allocation during the last 3 months of the year, balancing imports with the substantially lower demand for petroleum products in the summer season.

With concurrent favorable action on a measure to cut the Department of Defense procurement of foreign jet fuel and gasoline by 35,000 barrels daily, oil imports could be reduced by 200,000 barrels daily for the next 3 months. Such action would be compatible with the U.S. Bureau of Mines' forecast of a crude oil supply of approximately 200,000 barrels daily in excess of the predicted demand in districts I-IV for the month of July.

If executed, these proposals could afford temporary relief to the critical oversupply situation that the domestic industry has faced for the last 7 years. This ever-worsening economic crisis has been reflected in serious declines in drilling activity, employment, and prices.

In fact, since March, domestic production has been cut by 300,000 barrels daily. I believe that it is only fair and just that foreign imports share the burden of these conditions with our home producers.

I strongly urge these reasonable and equitable recommendations be accepted. If I can supply additional information, I hope you will call on me.

Sincerely yours,

RALPH W. YARBOROUGH.

Mr. YARBOROUGH. Mr. President, the plain facts as to the conditions now existing in the domestic oil industry require that something be done. It is only fair and just that foreign oil importers share the burden of these unfavorable and still-deteriorating conditions with our own industry's producers and employees.

I have always believed that our na-

tional security and welfare require the equitable consideration of the domestic oil industry in the determination of oil import levels. I now urge this emergency action by Secretary Udall to insure that this principle be carried out.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may be granted an additional 15 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator be granted 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

**TRIBUTE TO EARLE B. MAYFIELD,
FORMER U.S. SENATOR**

Mr. YARBOROUGH. Mr. President, Earle B. Mayfield, of Tyler, Tex., who died there last June 23 at the age of 83, was one of the 26 men who have served in this body from Texas since that State entered the Union in 1845.

Senator Mayfield served here for 6 years, and achieved wide renown as an orator, and as a specialist in transportation law. His total service of more than a score of years in high public office brought him many achievements, much acclaim, and increasing recognition and honor as the passage of time permitted a cooler appraisal of his permanent accomplishment, unscorched by the temporary hot winds of political controversy.

He was always a man of honor; always the soul of courtesy. He spoke, dressed, and looked like a U.S. Senator.

In his life after retirement from the body, the good name of the Senate was upon his acts and deeds. As a successful lawyer, rancher, and businessman, he lived the best ethics and ideals of the Senate until the end of his days.

Senator Mayfield's family and my family have been friends for generations. At a rally given in my honor by citizens of Tyler last April 30, he was there with his beloved wife and spoke generously of and for me. We miss him. We mourn him.

Mr. President, I ask unanimous consent that two articles from the June 25, 1964, edition of the Tyler Courier-Times entitled "Earle Mayfield Services Today," and "Senator Earle B. Mayfield" be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Tyler (Tex.) Courier-Times,
June 25, 1964]

EARLE MAYFIELD SERVICES TODAY

Funeral services for Earle Bradford Mayfield, 83, former U.S. Senator from Texas who died at his Tyler home Tuesday, were held at 2:30 p.m. today at Marvin Methodist Church.

Dr. Harry V. Rankin and Dr. Walter Kerr officiated. Burial was in the family plot at Oakwood Cemetery, with Masonic graveside services conducted by St. John's Masonic Lodge 53 of Tyler. Burks-Walker-Tippitt Funeral Home directed arrangements.

Mr. Mayfield served as U.S. Senator from Texas from 1922 until 1929. He also was a

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seeking their talents. The ones who seek and take civil service positions are generally those whose specialties are of peculiar value to the Government, or who, having served the public in one capacity, have a sincere and continued interest and desire to serve their Nation in a public position.

Related to this is the next argument postulated:

Point 4. The military retiree will dominate the civil service if H.R. 7381 is passed. It continues again to argue that the early retirement of military personnel will aggravate this situation.

The facts are, as brought out in testimony before the House committee, that less than 2 percent of civil service employees today are retired military personnel. H.R. 7381 will bring into the competitive area—and under pay restrictions that will discourage almost all from seeking Government employment—only an additional 10 percent of retirees. Ten percent of 2 percent is 0.2 percent, a not very significant number.

Let us all jointly contemplate one thing in this connection. What if, as they appear to urge, the military were prohibited from retiring until age 60 or 65 (and there are many, many military people who would eagerly accept this)? Surely this would require an enlarged military force, as young men would have to be brought in at the same rate in order to maintain vitality in the fighting forces. The only place the older military personnel could be used would be to fill the positions, in uniforms, now occupied by the some million civilians in the Defense Establishment. There could be no other way, as the American public could not be expected to support the real "feather-bedding" that would otherwise be involved—to the tune of a million jobs. Thus, over a few years, virtually all civilian positions would have to be eliminated and there would be but a handful of civilian employees in the entire Defense Establishment.

Point 5. That H.R. 7381 is being passed to favor the military. We think the real reasons have been obscured for the enactment of H.R. 7381, other than to clarify the current hodgepodge of laws and decisions in connection with dual employment/dual compensation. The purpose is to afford the Government the opportunity to compete with industry for the most capable, competent employees, whether among veterans, from colleges, from other civilian pursuits, or from military service of long standing.

It would be easy to continue to refute the many other insidious innuendoes contained in the letter, such as the totally unrelated issue of Reservists serving in Congress, the merits of the military noncontributory retirement system (legally described as "earned pay withheld") versus the civil service "contributory" system, and the astounding inference that the military is "antiveteran." But why attempt to broaden what appears to exist in some minds as a schism between the military man and the civil servant.

We don't think it exists. We don't think you think it exists. We all want to serve our Government as civil employees, as military personnel, as citizens and as taxpayers. On this particular issue, we ask a fair evaluation of the honest questions involved and a fair settlement as a result. H.R. 7381, as reported by the Senate Post Office and Civil Service Committee, is one step in that direction.

Sincerely,

A. A. BRACKETT,
Colonel, USAF (Retired), Reserve Officers Association.

JACKSON V. RAMBEAU,
Colonel, USAF (Retired), Air Force Association.

COUNTY PROBLEMS

Mr. BREWSTER. Mr. President, during the past 10 years we have experienced a phenomenal increase in the role of local government. With our attention so frequently directed to the actions of the Federal Government, we frequently neglect the increasing importance of local government services.

Today, county governments are spending nearly \$10 billion each year and are employing 1 million people to serve America's increasing population and their growing needs.

The growth of local government has largely resulted from a boom in citizen interest in civic affairs. This local initiative, coupled with increased intergovernmental cooperation, has created a new era, which can best be described as an era of constructive cooperation.

While much has already been done to improve our Nation's communities, we still need to tangle with many unsolved problems and unmet needs.

A recent editorial published in the *Suburban Record*, of Montgomery County, Md., highlighted "Seven Scourges" which affect nearly every American community. These problems, which were delineated by Bernard Hillenbrand, executive director of the National Association of Counties, must be solved. The solutions require local initiative and intergovernmental cooperation.

Postponement of the attack on these problems will place an indelible mark on America's landscape; it will result in a soiled heritage for our children.

Mr. President, I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

COUNTY PROBLEMS

In a speech delivered last week before the 42d Annual Convention of the Isaac Walton League of America, held at Davenport, Iowa, Bernard F. Hillenbrand, executive director of the National Association of Counties, cited seven scourges which are a plague on almost every community in the Nation.

He listed them as:

1. Automobile graveyards that line the highways.
2. Open, exposed garbage disposal dumps.
3. Dilapidated signs and billboards.
4. Pollution of our water and air resources.
5. Unwarranted spot and leapfrog residential development.
6. Homes built on the flood plains.
7. The lack of local planning.

Mr. Hillenbrand said: "It is not necessary for me to enumerate the ill effects of the seven scourges. Their depressive impact on property values, esthetic sensibilities, and health considerations are readily apparent.

"Despite the deleterious effect of the seven scourges, they can be controlled and eventually eliminated through an active program of public participation in the development of local plans to improve a community and a similar degree of enthusiastic support in the implementation of these plans.

"This goal can be achieved through an enlightened, informed, and interested public. We need active and effective citizen planning committees which will join forces with their local governments in a constructive

manner to help guide the development and destiny of every community in the Nation."

Mr. Hillenbrand cited remarkable accomplishments of county governments during the 1950's when it was recognized that a large vacuum existed between municipal and Federal programs of park and outdoor recreation development. Among the accomplishments cited:

An increase from 5,000 to 42,000 the number of volunteer leaders in county recreation programs.

A tripling of the number of county parks from 933 to 2,610.

A doubling of county park acreage to a total of 430,707 acres.

A 1960 total of 20,263 full-time employees who worked on various aspects of county park and recreation programs.

A doubling of county park and recreation expenditures from \$67 million to over \$122 million in only 5 years.

It would seem that Montgomery County is keeping pace with both the Nation's problems and its accomplishments.

FIFTIETH ANNIVERSARY OF CAPE COD CANAL

Mr. SALTONSTALL. Mr. President, this summer marks the 50th anniversary of the Cape Cod Canal. Having once lived in a house overlooking the canal, I am personally acquainted with the vicinity, and have been across and through the canal many times. During World Wars I and II, our defense traffic passed through it, safely inshore from the submarine menace. Today, it is a great boon to our Nation's coastwise commerce, and is well known to yachtsmen and the operators of fishing boats. Fishermen angling for Cape Cod's famous striped bass often line its banks.

Construction of the canal, which is the widest artificial waterway in the world, was begun under private sponsorship in 1909, and was completed in 1914. Owned since 1928 by the Federal Government, the canal is operated toll free, as the northernmost section of the Atlantic Intracoastal Waterway. In the olden days, we thrilled to the passage of the New York steamship, for which the canal was cleared as she passed through it full speed. A convenience to businessmen, this line was a wartime casualty; but the canal still serves coastwise traffic, decreasing the route between Boston and New York by over 70 miles.

The canal is also famous as the gateway to Cape Cod, a region of early historical significance, and now attractive to tourists from all over the country and from many parts of the world. The anniversary committee estimates that more than 2.5 million people will visit the canal this summer, many of them during the 2-week celebration period at the end of July and the beginning of August. Several hundred local residents have planned an exciting program of entertainment for people of all ages. It will include a variety of contests for schoolchildren, fireworks, dancing, a tour of old Cape Cod homes, and an art show by the Bourne-Wareham Art Association. There will also be a parade, in which representatives of all branches of the U.S. Armed Forces will partici-

pate; and there will be an exhibition by the Thunderbirds, the U.S. Air Force precision flying team.

In effect, all local residents have joined to extend genuine Cape Cod hospitality to the thousands of people who will visit the canal this summer. These active citizens are offering not only an interesting program of entertainment, but also an informative presentation which will make the many visitors aware of the importance of Cape Cod's past history and present contributions. We congratulate the anniversary committee and the hundreds of volunteers who have given their time and have expended their efforts in order to make the 50th anniversary celebration of the Cape Cod Canal a successful one.

"THE ECONOMICS OF HIGHER EDUCATION"

Mr. HARTKE. Mr. President, the explosion within the ranks of college-age youth is putting tremendous and urgent pressure upon our institutions of higher education to accommodate the influx of students seeking a college degree. At the same time, the increasing demands of our modern society for those whose academic background has prepared them for the growing complexities of technology, business, and government, alike put a strain on the financial resources of students, who, as a result, all too often are squeezed out of the formal learning process.

Members of the Senate are familiar with my bill to help relieve the individual student's financial situation. S. 2490, with its provisions for scholarships, expanded loan opportunities, loan insurance, and a work-study program, will shortly be reported to the full Labor and Public Welfare Committee by Senator Morse's Education Subcommittee, I believe. The able chairman of the subcommittee, the Senator from Oregon, has recently assured me, by letter, that he intends to hold an executive session of his subcommittee on this bill as soon as possible. In the meantime, the two volumes of testimony on the bill are available for those who wish to secure full information.

The other problem, that of classroom pressures, was recently discussed in relation to the State of Indiana by one of the Nation's leading radio stations, WOWO, of Fort Wayne. In an editorial, the station's general manager, Carl W. Vandagriff, considered "The Economics of Higher Education," in broadcasts on June 29 and June 30.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ECONOMICS OF HIGHER EDUCATION

(By Carl W. Vandagriff, general manager, WOWO, Fort Wayne, Ind.)

The economics of higher education are beginning to dictate that educational opportunity can no longer be measured in terms of brainpower. There was a time when a bright youngster could reasonably expect to attend the college of his choice. However,

with the tidal wave of high school graduates flooding college campuses throughout the country, institutions of higher learning have had to restrict admissions to the brightest students and those who because of scholarships or family financial backing could afford the expense of a 4-year college education.

The problem of relieving the high cost of education to otherwise qualified students has been a major concern of educators in Indiana. They discussed this problem last week during a meeting of the Colleges and Universities Study Committee of the Indiana General Assembly. The presidents and representatives from three of Indiana's State-supported colleges and universities spelled out their plan for the creation of 4-year, degree-granting institutions to be located in Indianapolis, Lake County, South Bend, and Fort Wayne. They explained that, because the major cost of education today is for board and room, a college education achieved within commuting distance would enable thousands of otherwise qualified, but financially unable, students to gain a college education.

It was also pointed out that some 82 percent of the students attending the present 2-year extension centers in Indiana come from families earning less than \$7,000 a year. These families would be hard pressed financially in affording 4 years of campus living for their children. Another problem facing the 2-year extension centers is overcrowding. Already, regional campus applications are up 50 percent for this fall over last fall. This is one of the reasons behind creations of the joint Indiana-Purdue regional campus in Fort Wayne.

It seems to us that the 4-year regional campus offers a real opportunity to provide a college education for Indiana's young men and women. By bringing a post-high-school education within commuting distance of the majority of the people, the measure of educational opportunity in Indiana can again be related to brains, rather than dollars.

We hope the Indiana General Assembly will give serious thought to this proposal.

STRIP MINING PRACTICES: A "RIDICULOUS PARADOX"

Mr. HARTKE. Mr. President, the Senator from Alaska [Mr. GRUENING], as chairman of a subcommittee of the Committee on Interior and Insular Affairs, has been holding hearings on S. 1013. The hearings are continuing next week.

This bill provides for a study by the Secretary of the Interior concerning strip and surface mining operations, a study to be completed in not more than 2 years, with a report to the Congress.

Recently, two Indiana newspapers, both members of the Scripps-Howard chain, published editorials commenting on the bill. They pointed out that while we spend increasing sums to preserve recreation and scenic areas, strip-mining practices make new barrens and despoil whole countryside. The editorial was entitled, in a phrase used by Senator Young, a "ridiculous paradox."

Although these Indiana newspapers did not mention the fact, I was one of two cosponsors who originally joined Senator Lausche in presenting this bill to Congress. I believe it deserves the support of the Senate, and I intend to make a statement of support, for the hearing record.

Mr. President, I ask unanimous consent that the editorial, which appeared

in the Evansville, Ind., Press on June 26, and in the Indianapolis Times on June 27, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIDICULOUS PARADOX

Senator STEPHEN M. YOUNG, of Ohio, is backing a bill sponsored by his fellow Ohioan, Senator FRANK J. LAUSCHE, to stop the destructive practice of strip mining operations. The Lausche bill would merely direct the Interior Department to make a study—but the Senator hopes this will help dramatize the frightfulness of this scenic destruction.

"While State governments permit strip miners to ravish the land," Senator Young said, "it is at the same time suggested that Federal funds be used to rehabilitate it. This is a ridiculous paradox."

The "ridiculous paradox" goes even further. While States and the Federal Government spend increasing sums to preserve recreation and scenic areas and to create parks, the strippers despoil whole countryside.

NATIVE ALASKANS SUPPORT POVERTY PROGRAM

Mr. BARTLETT. Mr. President, last month the representatives of Alaska's 43,000 Eskimo, Indian, and Aleut people gathered for a significant and productive conference in Fairbanks. The gathering was notable for the unity demonstrated by the native groups. It showed that native leaders are aware of their people's needs and are developing the organization and the methods through which they may press for their objectives. As I said in a telegram to the conference, native participation in Alaska's bright future will in large measure be dependent upon the unity which their leaders achieve, the responsibility they display, the inspiration they furnish.

The conference spent considerable time discussing the proposed Economic Opportunity Act, and passed a resolution supporting the legislation. Villages and organizations were urged to acquaint themselves with the proposed program and the ways in which natives might find it beneficial. This was good advice, and I hope the native groups will follow through. There are several provisions in the bill, such as community-improvement programs, adult education programs, liberalized small-business loans, work-experience and training programs, and investment grants for rural families, which could be of substantial benefit to native Alaskans and their communities. But in almost every case, the individuals and the communities would have to formulate their needs and take the initiative in making requests. Otherwise, the program would be of little benefit. Therefore, I commend the conference for watching the legislation and for alerting the natives as to its possibilities. I plan to do my part in informing our people as to which provisions of the Economic Opportunity Act, when it is passed, they might find most helpful.

I ask unanimous consent that the report from the conference be printed in the RECORD.

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persuade our allies to adopt similar controls. There was a time when administration leaders shared this view. When the Trade Expansion Act was before the Congress in 1962, they claimed that one of its principal aims was to wage economic war against the Communists. One of the three purposes specifically stated in the bill is "to prevent Communist economic penetration." The examples of congressional attempts to choke communism economically are many, but it appears that the administration wishes to ignore these desires.

As we observe another Captive Nations Week, we must think carefully on these things and decide whether this policy of increased trade with the Communist bloc is really the answer we are seeking when we think of the paths of freedom open to our friends and relatives in nations held captive by communism.

Let us go forth this year united in a reaffirmed hope, with a replenished spirit, and with a recommitment to the proposition that this Nation is politically, legally, and morally bound to exert its constant efforts and resources to the re-establishment of freedom and independence in those areas held captive by Soviet communism.

CHANGE IN IMMIGRATION LAW NEEDED TO FACILITATE ENTRY OF SKILLED AND PROFESSIONAL PEOPLE

Mr. HART. Mr. President, one of the many reasons for the broadly based support for immigration reform, is the growing recognition that new legislation is needed to facilitate and encourage the entry of selected skilled and professional persons who can help meet urgent manpower needs and contribute directly to the development of our society.

A case in point is the continuing need for highly skilled health research specialists. Several days ago the President's Commission on Heart Disease, Cancer, and Stroke, issued a significant resolution. It recommended in part, "that the immigration laws should be so revised as to facilitate the immigration and naturalization of scientists and physicians who can make special contributions to the intellectual resources of the Nation."

S. 1932, now pending in the Judiciary Subcommittee on Immigration and Naturalization, would accomplish the recommendation of the President's Commission. It is the bill I introduced nearly a year ago, on behalf of myself and 26 other Senators, to carry out the legislative recommendations of Presidents Kennedy and Johnson.

In an article for the New York Times of July 5, 1964, Dr. Howard A. Rusk comments on the Commission's resolution, and makes these sensible observations:

Medical science should have no international boundaries. Highly skilled research workers should have the opportunity of conducting their studies in the best available environment. Our present immigration policies by denying many this opportunity hinder

the possibilities of research advances that might be of great value not only to our own Nation but also to the entire world.

Mr. President, I ask unanimous consent that Dr. Rusk's article be made a part of my remarks at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHANGE IN IMMIGRATION—PRESIDENT URGES EASING OF STRICTURES ON LETTING SKILLED SCIENTISTS STAY IN UNITED STATES

(By Howard A. Rusk, M.D.)

After hearing preliminary reports by a subcommittee on manpower, the President's Commission on Heart Disease, Cancer, and Stroke took its first official action last Tuesday.

It issued a resolution urging a change in immigration laws to facilitate immigration of highly skilled health research specialists.

Each year several thousand research scientists from abroad come to the United States on visitors' exchange visas. Such persons can stay in the United States only 5 years.

Should they wish to immigrate to the United States and take up permanent residence, they must leave the country and not reenter for 2 years.

The action of the President's Commission was taken the day before hearings were to begin in the House Judiciary Committee to amend the immigration laws.

One of the proposed changes would permit increased numbers of highly skilled persons to immigrate into the United States.

The committee is headed by Representative MICHAEL A. FEIGHAN, Democrat, of Ohio.

A KENNEDY MEASURE

The bill being considered is an administration proposal introduced by Representative EMANUEL CELLER, Democrat, of Brooklyn, at President Kennedy's request a year ago. It was reintroduced in January at the request of President Johnson.

The bill would establish an immigration board that would make continuous studies of such conditions within and without the United States that might have any bearing on our Nation's immigration policies.

After consultation with the appropriate Government agencies, the board could recommend changes in admission policies to the Attorney General.

The bill specifically mentions consultations with the Secretary of Labor, State, and Defense, but for some strange reason does not include the Secretary of Health, Education, and Welfare.

Inclusion of the latter is particularly important if the objectives recommended by the President's Commission on Heart Disease, Cancer, and Stroke are to be realized.

THE CURRENT POLICY

Under current policies and procedures, foreigners in the United States on visitors' exchange visas may petition to be granted permanent visas.

The Department of Justice then asks the appropriate Government agency for its recommendations.

From 1957 to 1963, 985 such requests were acted upon by the Department of Health, Education, and Welfare. Of these, 234 were persons holding positions in research and teaching in colleges and universities.

Six hundred and eighty-five were physicians, most of whom were engaged in research or teaching.

Under the current policies and criteria, only 207 of these 985 applications could be approved.

This meant that many highly skilled re-

search workers were forced to return to their own countries, where they lacked the facilities and equipment to continue their important research efforts.

ONE PROJECT HALTED

One distinguished professor of biochemistry told the President's Commission that his first assistant, who is engaged in a most promising highly sophisticated research project, will be forced to leave the country within the next few months.

Since he cannot be replaced by an American, the research project will come to a halt.

The scientist will either return home where he has no facilities, equipment, or funds and will waste his time, or will emigrate to another country. Many such persons who are forced to leave the United States go to Canada.

This same story has been repeated many times since.

Under the new legislative proposals, such persons could be admitted to the United States on permanent visas.

It is because of this that the President's Commission unanimously adopted and forwarded to the President its resolution, pointing out that "scientific research is of universal and international benefit."

THE RESOLUTION

The resolution continues:

"Contemporary research requires facilities and equipment of great cost as well as organization of great complexity.

"Such facilities and research environments are often more readily available in the United States than in other countries.

"Gifted scientists who are foreign nationals but who have received extensive training in the United States are normally compelled to return to their own countries to the considerable detriment of their careers, the loss of their potential scientific contributions, and to the permanent injury of the research on which they are engaged."

In view of this, the Commission recommended that foreign scientists and physicians of demonstrated accomplishment or recognized potential should be given indefinite extension of their visas.

It also recommended "that the immigration laws should be so revised as to facilitate the immigration and naturalization of scientists and physicians who can make special contributions to the intellectual resources of the Nation."

A MORE MODERN VIEW

The bill would also regard epilepsy, mental illness and mental retardation in a more modern light.

At present, it is impossible for a person with a history of any of these conditions to be admitted to the United States. This connotes an official Government attitude that such conditions are hopeless, which simply is not true in terms of modern medical knowledge.

The United Epilepsy Association, for example, reports that 50 percent of the estimated total of 1,854,000 persons in the United States with epilepsy are so amenable to modern medical treatment that all manifestations of their problem can be completely eliminated.

Medical science should have no international boundaries.

Highly skilled research workers should have the opportunity of conducting their studies in the best available environment.

Our present immigration policies, by denying many this opportunity, hinder the possibilities of research advances that might be of great value not only to our own Nation but also to the entire world.

CAPTIVE NATIONS WEEK—A FREEDOM OFFENSIVE IS NEEDED NOW

Mr. HART. Mr. President, President Johnson has proclaimed the week of July 12, 1964, as Captive Nations Week. It is a good time to refresh our minds of the havoc wrought by international communism, and to renew our energies on behalf of the millions of citizens in the captive nations of Eastern Europe. Years have passed but their hope for freedom and national independence remains alive, as indeed it must; for it is a natural yearning of all mankind.

America's responsibility in this situation is clear. As the chief guardian of liberty, with strong family ties to the people of Eastern Europe, we must mount an offensive to support the hope of the captive peoples and encourage their faith that the future holds out the substance of freedom and national independence.

In my book, Mr. President, this offensive goes beyond an annual celebration of Captive Nations Week. It goes beyond the passing of freedom resolutions and the giving of stirring speeches. It must also include a prudent use of diplomacy, trade, and cultural exchange—in the interests of a peacefully evolution of freedom and national independence within the captive nations of the Soviet bloc.

New opportunities are opening up daily in this area. Eastern Europe is no longer a monolithic structure under the exclusive tutelage of the Soviet Union. The captive peoples are beginning to stir in a courageous and valiant way. They are thinking once again in terms of their individual national destinies. They are expressing a desire for a measure of freedom and a better way of life, for a more open society and comfort. And the Communist leaders are coming to terms with their people by preaching national independence and offering modest political and economic concessions. The Polish way is rubbing off on neighboring countries. Nationalism is replacing satellitism in Eastern Europe, opening new doors for the West.

It is the wise judgment of the present administration, just as it was the judgment of Presidents Kennedy and Eisenhower, that the best thing we can do for the peoples of Eastern Europe—short of a liberation war no thoughtful person desires—is to encourage them to maintain their national identities and to develop their economic independence from the Soviet Union.

Certainly, Mr. President, there are risks involved in this course of action—I would be the first to admit it. And, to be sure, the devices by which the Communist hierarchy continues to rule are still intact. As a system of exerting power, communism is very efficient, indeed—even if its economic system has many defects. But changes are afoot; the potential for bending these changes to the cause of freedom exists, a potential which challenges the creativity and ingenuity of the free world.

The Attorney General's recent trip to Poland reminds us of the undying spirit of the Polish people and their fellowmen behind the Iron Curtain. My own visit

to Poland gave similar experiences, which I shall never forget.

Let us not, Mr. President, permit this spirit to languish in a wasteland of inactivity by the United States. Hopefully, we have the good sense to exert the responsible leadership we claim is ours, and work with the captive peoples to make their hope for freedom an ever-increasing reality. Captive Nations Week reminds us of our task.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DUAL EMPLOYMENT AND DUAL COMPENSATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and be made the pending business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7381) to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, I am chairman of the committee to which the bill was referred; but the bill was handled by the subcommittee of which the Senator from Texas [Mr. YARBOROUGH] is chairman. That subcommittee held the hearings, and the Senator from Texas is very familiar with the subject. For that reason, I have asked him to handle the bill on the floor of the Senate.

Mr. YARBOROUGH. Mr. President, this bill is the product of approximately 9 years' careful study by various agencies of Government, the Civil Service Commission, and the Committees on Post Office and Civil Service of the House and Senate. It is a major reform in the laws affecting the employment of all retired military persons. Heretofore, some 50 statutes and more than 200 decisions by the Comptroller General have regulated personnel actions in regard to these people. This proposed law completely replaces all of those statutes and decisions, some of which are nearly a century old. It is of vital importance to the U.S. Government that this bill be favorably considered by the Senate.

In 1894, Congress declared that the general policy of the Government regarding the employment of retired military persons would be that no retired officer receiving an annuity amounting to \$2,500

a year could be employed. At that time, \$2,500 was a lot of money. Today a retired master sergeant receives about that much money. The law is clearly antiquated. It is also riddled with exceptions, both statutory and administrative. Today, only regular commissioned officers and warrant officers who have retired for length of service rather than any kind of disability are excluded from employment. Enlisted men are completely exempted from the statutes. Reserve officers may work for the Government and receive both a civilian salary and their military retirement. While another civilian at the next desk performing the same duties and having the same qualifications is limited to \$10,000 total compensation merely because he was retired from the service for a non-combat physical disability. The laws presently existing are highly discriminatory and deprive the Government of the services of highly trained persons who could render valuable service in this atomic age. It is vital that this legislative be enacted.

H.R. 7381 was the subject of hearings before the Senate Post Office and Civil Service Committee on December 12, 1963. After careful consideration the bill was amended and reported to the Senate March 4, 1964.

The committee's amendments are designed to improve the House bill by eliminating section 205, which would, in essence, prohibit the employment of retired military personnel. Almost all witnesses appearing before the committee favored the elimination of this section. Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, strongly endorsed the committee's action. The only other amendments are in regard to the employment of retired military persons in the legislative branch of the Government. These amendments are designed to continue our present employment policy in the House and Senate.

Mr. President, I urge the Senate to favorably consider and pass this bill. Our national defense, our continued research in science, our exploration of outer space, and all our other governmental activities require the talents of the most skilled people we can find. H.R. 7381 will assist us in our efforts to attain these goals.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill, as amended, be considered as original text, for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the committee amendments are agreed to en bloc.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield for a question?

Mr. YARBOROUGH. I yield.

Mr. WILLIAMS of Delaware. Do I correctly understand that under the bill a retired officer or anyone retired from the military service, who had 20 or 30 years' military service, could continue to draw retirement pay if he obtained a job under civil service, at, let us say, \$15,000

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a year? Is it correct that under this bill a person could draw retired pay of \$10,000 to \$12,000 and receive a salary of \$15,000 under civil service; that is, would he be able to draw both the salary and retirement pay at the same time?

Mr. YARBOROUGH. I refer the Senator to page 10 of the bill. If the person was a regular officer who retired on length of service, he would get the first \$2,000 plus half of the remainder of his retired pay. At the present time, without the proposed law, any retired enlisted man, regardless of the reason for his retirement, or any retired Reserve officer, regardless of the reason for his retirement, or any retired Regular officer who retired as a result of combat disability, can draw full retirement pay plus full pay under civil service. The bill applies to Regular officers who retired because of length of service. It does not affect retired enlisted personnel or retired Reserve officers. The Reserve officers exceed the number of Regular officers. Nor does it affect any Regular officer who retired because of a combat-connected disability.

Mr. WILLIAMS of Delaware. Am I to understand from the Senator's answer that a retired officer who would be eligible for \$10,000 a year retirement pay, let us say, and who got a job under civil service at a salary of \$15,000, would not be able to draw both the retirement pay and the salary under the bill?

Mr. YARBOROUGH. Not all of it. He would be able to draw just \$2,000 of his retired pay plus half the remainder. He would get that part of his retired pay plus the full amount of the civilian pay.

Mr. WILLIAMS of Delaware. Under this bill, if he worked 5 years under civil service and then retired how would his retirement benefits be computed?

Mr. YARBOROUGH. He would get the choice of the two. With certain statutory exceptions, that is the present system.

Mr. WILLIAMS of Delaware. I was advised by an official in the Retirement Division this morning that, as he read the bill, he thought a retired person could get the benefit of both. He would not have to make a choice but could draw both. What I want to find out is, is that correct?

Mr. YARBOROUGH. The retired person would have a choice of the two. He would not get both. Certain retired military personnel can get both under present law. The majority may have one or the other, but not both.

Mr. WILLIAMS of Delaware. I understand that. I am talking about the period during which he would be working for the Government in a civilian capacity. Would he be able to create retirement benefits in the civilian service?

Mr. YARBOROUGH. He could build that up while serving. Suppose he had served in the Regular Army for 20 years and then retired. Then he worked under civil service another 20 years and retired. He could build up retirement while working in civil service. But at the time he finally retired, he would have to make a choice.

Mr. WILLIAMS of Delaware. Then he could take the highest of the two, not both?

Mr. YARBOROUGH. He could have his option and take the highest but not both.

Mr. WILLIAMS of Delaware. Where is the section in the bill that so provides?

Mr. YARBOROUGH. The committee did not amend the retirement law. That is not in the bill. We left the law as it was. What I have stated is the law.

Mr. WILLIAMS of Delaware. Then I think the Senator is wrong in his interpretation of the law, because I was told this morning by one of the officials in the Retirement Division that as the bill was written and amended a retired person could draw both civilian and military benefits. I could be in error, but I think we should have a clear answer to that question. I was advised that some in the Department interpret this to mean what the retired person could get both benefits.

I am told that under the bill he would receive credit for his civilian service and in addition again get credit for the military service, which would give him dual benefits. This could be in error, but it should be made clear, because the official I talked to said that as he read the bill that was the way he would interpret it. We should get a written memorandum which would clear this question up with a ruling by the Commission. There should be such a ruling before the Senate acts.

Mr. YARBOROUGH. The Committee on Post Office and Civil Service worked on this matter for a long time with the Civil Service Commission, and other agencies of the Government. I am not infallible with respect to these matters, but our staff assures me that ours is the correct interpretation. We took this matter up in our executive hearings on the bill. The testimony was not made available, but the entire subject was fully discussed in executive session. It was discussed in more than one executive committee session.

Mr. WILLIAMS of Delaware. I recognize the work that has been done on the bill, and I have tremendous respect for both the Senator from Texas and the staff of the committee. I am confident, therefore, that someone can point out where in the law such a provision exists.

Perhaps someone can point out the specific section of the bill that makes such a provision or the section of the law that exists now that provides what the Senator has said.

Mr. YARBOROUGH. This point was checked specifically with Mr. Andrew E. Ruddock, Director of the Bureau of Retirement in the Civil Service Commission. Our staff was given specific answers on this point.

Mr. WILLIAMS of Delaware. Such assurances would have to be based on some language in the law or in the bill. What I would like to have the Senator do is quote us the exact language.

Mr. YARBOROUGH. The bill does not amend the present law.

The bill does not affect the present law at all. It leaves the law as it is. The Civil Service Commission assured us that a person could not draw both his military retirement and his civil service retirement benefits unless he is authorized under present law to do so.

Mr. WILLIAMS of Delaware. I do not question the Senator's sincerity. The gentleman I talked with told me that as the bill is drawn a retiree could draw both benefits. All I am asking is to have quoted for the benefit of the Record the section of the law or the section of the bill which would prohibit such a thing happening. I am sure the Senator would expect to have his statement based on written law and not on the figment of someone's imagination. The information I received differs from what the Senator from Texas has said. I recognize that in conversations we can get a wrong understanding of a statement. There must be some provision in law which covers this point. I have such tremendous respect for both the Senator and for the staff of the committee that I am sure that they can give the section of the law that refers to this point.

Mr. YARBOROUGH. Our information was confirmed by Mr. Ruddock, the Director of the Bureau of Retirement and Insurance of the Civil Service Commission. He has been with the Commission for many years. He is an outstanding authority on this subject.

Mr. WILLIAMS of Delaware. I recognize Mr. Ruddock as an outstanding authority, too. It so happens that he is the same man with whom I talked this morning. Either I or the staff misunderstood what Mr. Ruddock said. Since there is this misunderstanding I believe we should wait until we can get a written memorandum from Mr. Ruddock as to exactly what the bill would do.

I do not say that I am infallible, but my understanding of the information that I received from Mr. Ruddock is that as the bill is now drawn and as it would mesh in with existing law a retiree could draw both civilian and military retirements benefits. A person who retired could claim benefits under civil service for the same military service upon which he was already receiving retirement payment benefits. A person who retired compensation.

If that is true I am sure the Senator would agree that that is unjustified.

I would be willing to support the bill with the understanding that a retiree could accept the highest of the two retirement benefits. He might earn some civilian credit, of course, but we would not want him to have, duplicate credit or double credit for military service.

If the staff claims that Mr. Ruddock or someone in the Commission has pointed out a different interpretation I am sure that it would be easy for them to cite the section which prohibits such a procedure. All I am asking is that there be no misunderstanding. We should have quoted for us the section of the law or the section in the bill which would prohibit such a thing taking place.

The staff member is sitting beside the Senator. I suggest that he merely cite the law upon which his claim is based.

Mr. YARBOROUGH. I agree with the Senator when he objects to dual retirement benefits.

Mr. WILLIAMS of Delaware. Where does the Senator find such a prohibition in the law or in the bill?

Mr. YARBOROUGH. I am asking a staff member to get in touch with Mr. Ruddock. We did not know that this question would arise, or we would have had Mr. Ruddock here.

Mr. WILLIAMS of Delaware. Did Mr. Ruddock testify when the hearings were held?

Mr. YARBOROUGH. Yes; hearings were held, but Mr. Ruddock did not testify. He was consulted after the hearings.

Mr. WILLIAMS of Delaware. The Senator from Texas may be right, but I want to have it checked. I suggest that we not act on the bill until we get a written memorandum from Mr. Ruddock as to how the law would work. This point should be spelled out. I am perfectly willing to accept Mr. Ruddock's written interpretation. I doubt that we would want to leave the impression that he has told the staff of the committee one thing and me another. It is a point of misunderstanding, I am sure.

Mr. YARBOROUGH. I might suggest that we lay the bill aside, except for this matter. For several years some warrant officers were not considered subject to the law of 1894. Since 1962, the law has been applied to them. Many retired warrant officers and some retired Reserve officers who had been working the Government in a civilian capacity have had claims filed against them for for many thousands of dollars on the basis of the Comptroller General's interpretation of the law. There are many hardship cases, as a result. Many retired warrant officers and Reserve officers are caught between the upper and nether millstones. These people badly need relief.

Mr. WILLIAMS of Delaware. I recognize the problem, and I am willing to try to straighten it out. However, we should wait until we have a memorandum on this point and not take up the bill until we have it. The answer should be available today if the staff ever had the answer.

Mr. YARBOROUGH. If we had known that this issue would be raised, we would have had an official statement from the Civil Service Commission. I agree with the Senator that this point should be clarified. We are trying to get the officials to come to the Senate at this time.

Mr. WILLIAMS of Delaware. I am somewhat confused by this last statement of the Senator. Earlier he said that the committee had considered this question and that the question was answered satisfactorily. Now I understand him to say that the question had not been raised.

Mr. YARBOROUGH. Yes; the point was checked, and we got the answer. We did not know that the answer we received was different from the answer that the Senator from Delaware had received. The matter was checked out after our hearings. We did not think there was any dispute about it. This specific point was checked with Mr. Ruddock. We thought it was entirely clear. No effort was made to pull up something in a hurry and dash it through.

Mr. WILLIAMS of Delaware. Oh, I know that.

Mr. YARBOROUGH. We thought that that matter had been resolved; otherwise we would have had Mr. Ruddock appear and would have written records before us.

Mr. WILLIAMS of Delaware. I do not suggest that the committee is trying to put anything over. Do not misunderstand me. I am perfectly willing to wait until Mr. Ruddock has been contacted and we can receive a memorandum on the subject. I had hoped that this question would be clarified here today. If it has been, where is it? If it has not, it should be clarified before the bill is passed. I am willing to withhold any further questions until the Senator can obtain such a memorandum from Mr. Ruddock.

Mr. JOHNSTON. Mr. President, I think it will be found that this is what happened in this particular case. During the war, Congress passed a law providing credit for anyone who entered the civil service after he left the military service. He was given the right to count his military service toward his retirement. But it will be found that persons who have received dual compensation must make a choice as to their retirement compensation. In other words, if they choose military retirement, they will receive military retirement pay. But if they choose civilian retirement, they will not receive any military retirement pay. It must be one or the other. That is the law. Congress has made some exceptions. The bill before the Senate does not change that situation at all.

Mr. WILLIAMS of Delaware. As I have said, if that is a correct interpretation, we could proceed, but I wish to make certain that that is the correct answer because based on the information I have received, there is some question as to whether that is true. The gentleman with whom I spoke though that a person could collect under both retirement systems and get credit for this same military service under both. If, as claimed, the bill only provides terms by which one can elect to choose whichever retirement pay is higher, I would approve of that privilege; I would go along with that.

Mr. JOHNSTON. The Senator will find nothing whatsoever in the bill in regard to that. In other words, the laws now on the statute books are the laws that prevail in this particular instance.

Mr. WILLIAMS of Delaware. I should prefer that we wait until we have received a written memorandum.

Mr. METCALF. Mr. President, while that information is being obtained, will either the Senator from South Carolina or the Senator from Texas yield to me for some questions?

Mr. JOHNSTON. I should be glad to yield. However, the Senator from Texas held the hearings and has handled the bill, and I do not wish to intrude upon his handling of the bill.

Mr. METCALF. According to the report, the bill merely simplifies the laws and regulations concerning dual compensation by placing them in one manageable statute. Yet 50 separate statutes and 200 decisions of the Comptroller

General are involved. When we turn to the back of the report, we note the changes in existing law that are made by the bill. These begin on page 24 and continue to the end of the report on page 47.

This is a far-reaching bill. Not only would it change the laws that are cited on numerous pages of the report, but it would also change longstanding procedure, including the Dual Office Act of 1894, the Dual Compensation Act of 1916, and the Economy Act of 1932.

The Senator from Delaware has stated that the bill would also have an effect on the Retirement Act. We do not know what other acts might be affected. The bill certainly would affect the Veterans' Preference Act.

Based on a memorandum, I wish to address a question to the Senator from Texas or the Senator from South Carolina. I have before me a memorandum which states that the bill is completely inconsistent with other Federal retirement systems. If a combat veteran of World War II, having 19 years of service, entered the civil service, he would pay 6½ percent of his salary into the civil service retirement fund, but he could not collect dual compensation under the bill.

A citizen reservist could complete 20 years of military reserve duty, but he must wait until he was 60 years of age, in order to collect dual compensation.

Finally, social security retirees are limited to the poverty level of \$1,200 a year. Civil service retirees, who returned to the Government would lose their entire pension, and this includes veterans having less than 20 years of service.

I have studied the bill, and I am unable to ascertain whether that charge is correct. I should like to have the Senator from Texas answer that question.

Mr. YARBOROUGH. So far as retired enlisted men are concerned, the bill makes no change in existing law. It does not increase their rights or decrease them in regard to compensation.

Mr. METCALF. Should there not be a change, if we are doing what we say we are doing, namely, simplifying dual compensation?

Mr. YARBOROUGH. We have worked on this problem for 9 years and have finally achieved a bill that all departments of the Government approve. We do not claim that the bill is perfect.

Concerning the matters about which the Senator from Montana asked, if there are any injustices, we have not created them in the bill. The bill seeks to eliminate some of the injustices.

If a Reserve officer retires, he is treated the same as an enlisted man, if he retires based on length of service, 20 or 30 years. If a Regular officer retires after 20 or 30 years, he is treated in a radically different manner. There were disadvantages as compared with a Reserve officer.

So many different organizations were interested in the measure, both for and against it, that the committee effected a compromise. The bill relates to dual compensation and dual office holding. The bill does not rewrite the retirement

his retirement; therefore, retirement is affected, or at least both the chairman of the subcommittee and the officials in the retirement division think so. The Senator from South Carolina is alone in his opinion that we can deal with a bill like this and not affect retirement benefits.

Mr. JOHNSTON. I agree with the Senator that that is true. But this bill deals only with retired military people being able to work for the Government. We are putting the Regular officers in the same category as Reserve and enlisted.

Mr. METCALF. Mr. President, will the Senator from South Carolina yield to me?

Mr. JOHNSTON. I yield.

Mr. METCALF. Again, it has been pointed out that no matter whether the objective here is to deal with only that of dual compensation, we are amending a broad spectrum of laws and we are affecting, directly or indirectly, the retirement system and the veterans' preference system. We are also affecting the retirement of enlisted men, Reserve officers, citizens reserve officers, Regular officers, whether we intended to do so or not. We are indirectly affecting those retirement programs. These are problems which we must think about and consider in the enactment of this proposed legislation.

As I have already pointed out, more than 50 specific statutes are applied to a broad group of civil service employees, and a broad group of retirement officers are specifically mentioned and amended by this proposed legislation. This is a complicated and complex piece of legislation. Each one of those statutes, directly or indirectly, affects the retirement of those involved in the agencies mentioned.

Mr. YARBOROUGH. These are matters which have been considered. This situation was thoroughly discussed. Now the distinguished Senator from Montana [Mr. METCALF] and the distinguished Senator from Delaware [Mr. WILLIAMS] are attempting to place an impossible burden upon us, by asking us to prove to them that this does not affect something else. They say pull it out, show us the statutes which will be affected, and prove to us that this amendment does not affect some other statute. It would take in the whole realm of retirement statutes to do that.

I ask the Senators from Montana and Delaware to point out some of the statutes which it does affect, other than dual compensation. We have retirement laws on the books already. The Senator from South Carolina has pointed out the effect of them. We have not affected them at all in this proposed legislation. We did not repeal any of those retirement laws; we did not amend any of them. Examine the bill we have set out. The Senate rules requires a statement of changes in existing law. This begins on page 24 of the report. We have not changed the retirement laws. We have not repealed the retirement laws. This is a limited law, applying to retired regular officers. It is limited in scope. It is a matter which has been in controversy for a number of years. The need for

this change has become more acute as Regular officers are retiring who have been working in the space sciences, and their services are needed now in space exploration, and many other fields of science and engineering.

Mr. METCALF. The Space Act exempts retired Army officers from the provisions of these laws at the present time. Is that correct?

Mr. YARBOROUGH. They can work for NASA but they do not draw their retirement pay.

Mr. METCALF. But they would be included under the bill?

Mr. YARBOROUGH. Yes. They are included; and NASA is given special authority for certain positions in their agency.

Mr. METCALF. I have some additional questions that I would like to get in the Record, no matter what disposition is made of the measure.

I know, because of the hearings and the long study and knowledgeability that the Senator from Texas [Mr. YARBOROUGH] and the Senator from South Carolina [Mr. JOHNSTON] have of the whole program, that they can be placed in the Record as a part of this debate.

The Senator mentions in the hearing that there are approximately 475 Reserve officers—this is on page 38—who have been affected by this decision of the Comptroller General. And 225 have a combined retired pay and civilian income in excess of \$10,000.

How much is the bill going to cost the Government?

Mr. YARBOROUGH. The money involved is \$15,971,000.

Mr. METCALF. Approximately \$16 million?

Mr. YARBOROUGH. That is correct. It would be approximately \$16 million. But it is not a cost. It is the money the Government paid these people for services rendered, and now the Government is requiring them to pay it back.

Mr. METCALF. It states on page 39 that at the present time the military departments have identified 1,188 temporary warrant officers who are subject to the Comptroller General's decision. Of that number, 872 are currently employed by the Federal Government. Their employment would have to be terminated as a result of the decision unless relief is granted. A review of these cases identified indicates that some of these temporary warrant officers have been employed since 1956 and 1957, with overpayments totaling as much as \$56,000. Where are these people employed? What agency of the Government has employed almost 1,200 people in violation of a law that dates back to the last century?

Mr. YARBOROUGH. No one thought there was any violation of the law until the ruling of the Comptroller General. No one knowingly hired them in violation of the law. It is not a statute. It is an interpretation by the Comptroller General which says that the warrant officers come under the same prohibition as regular officers. It was an interpretation of a statute, many years after enactment, that it was a violation. No

one knowingly was hired in violation. No one knew that it was a violation until the Comptroller General rendered his decision.

It would be better to clarify the law then to leave it in this state. I personally think, whether or not the law passes, that these officers ought to be relieved of the interpretation placed upon them by the Comptroller General. The people are employed in various departments. They are employed primarily in the Department of Defense.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. MANSFIELD. Mr. President, in view of the fact that there are many questions still to be asked on this matter, I would like, with the consent of all concerned, to propose a unanimous-consent agreement.

Mr. President, I ask unanimous consent that 2 hours be allocated for the further consideration of this bill, including amendments—1 hour to each side, and with the time to be equally divided between and controlled by the distinguished Senator from Texas [Mr. YARBOROUGH] and the distinguished Senator from Delaware [Mr. WILLIAMS]—and that the bill be called up after the Senate reconvenes on July 20.

Mr. METCALF. Mr. President, reserving the right to object although I shall not object; I shall agree—I wish to say that I have some additional questions. I should like to have them placed in the Record.

Mr. YARBOROUGH. If the distinguished Senator from Montana would give us the benefit of these questions, we would work these up with the Civil Service Commission and the other branches of the Government. We would have the different branches of the Government get the data together and get it ready for us.

Mr. METCALF. I was going to suggest that I have the statement printed in the Record, and be permitted to file the questions for the Record, so that they will appear there. Then the colloquy on these questions will be developed in the full debate.

Mr. MANSFIELD. Mr. President, I change the unanimous-consent request, to provide that the time be divided between the minority leader and the majority leader. We shall, of course, farm it out to those who have charge of the bill.

Mr. YARBOROUGH. Mr. President, we have no objection to the request of the distinguished majority leader.

Mr. MANSFIELD. Mr. President, if the distinguished Senator from Delaware wants to raise any additional questions, the answers could be forthcoming.

Mr. METCALF. Mr. President, I ask unanimous consent that a statement by the American Federation of Government Employees be printed at this point in the Record, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Over the past 3 years, we have consistently opposed dual compensation as a costly, discriminatory and unethical fringe benefit or

laws. The Senator from Delaware raised the question about retirement benefits. The bill does not affect or change the retirement laws. Congress has written laws relating to payment for work done. The bill relates to the limited field of dual employment and dual compensation.

The retirement field is one which requires some work. We are approaching the close of the 2d session of the 88th Congress and are trying to make progress here today in one limited field, the field of dual employment.

We think the committee has reported a good bill relating to this limited field. If the field were to be broadened to enter the field of retirement, there would be delay.

Mr. JOHNSTON. I might answer the question a little further. The committee is at present studying all the different systems of retirement. We shall have to do something with respect to the safeguarding of the retirement funds. We realize that unless something is done in that field, sooner or later there will not be funds from which to pay the people when they call for their annuities.

The Senate might be interested to know that almost 50 percent of the approximately 2 million civil service workers are ex-service personnel. They entered the Federal service and received credit for all the years of their military service, without having brought any funds over whatsoever.

Mr. METCALF. That is a fine thing, so far as I am concerned.

Mr. JOHNSTON. The committee is studying that situation and also the inequities in the various systems that have been established for retirement. We are trying to find ways to bring the many systems into one system. At this particular point, the bill before the Senate touches only one phase, and that is the phase of dual compensation. It does not relate to retirement. It does not go into that field. It leaves the law as it was in the past in that field, but the bill that we hope to bring in later will do something in the field that the Senator is bringing to our attention at the present time.

Mr. METCALF. The Senator from South Carolina has said a good many things with which I agree and concur. I know of the hard work that he and his committee have done, and are continuing to do, to protect and make more powerful our retirement system. However, here is a bill which amends 50 separate statutes. It applies to people from Boxing Commissioner of the District of Columbia to meteorological investigations in the Arctic region. It has application to thousands and thousands of different jobs. Here is a bill which amends or changes or repeals several basic traditional compensation statutes.

Mr. JOHNSTON. The only thing this bill does is to deal with dual compensation and dual office holding alone, and only that.

Mr. METCALF. Dual compensation for only officers and Reserve officers. This is not an enlisted man's bill. I concede and grant the need for constant revision and clarification of such statutes as we have on the books. I feel that we

should not go back to the Dual Office Act of 1894, or to the Economy Act of 1932, and say that we must adhere to them because they were passed a long time ago and have tradition. We have changing times and changing conditions today. This is a bill which is directed only at retirement Reserve officers who are changing jobs. This is not an enlisted man's bill.

Mr. JOHNSTON. For the information of the Senate, let me say that at the present time, the Regular officers retired for length of service are the only people deprived of the opportunity to enter Federal service. We are putting them in the same category with the others at this time. That is what this bill does.

Mr. WILLIAMS of Delaware. I have examined the hearings, and I find that several people testified. Did the Senator have any representatives of any of the agencies of the Government testify as to the merits of the bill?

Mr. YARBOROUGH. I beg the Senator's pardon. I did not hear his question. Was there an interrogatory directed to me?

Mr. METCALF. The Senator from Delaware directed an interrogatory. Both the Senator from Delaware and I have some concern about the bill, and we wish to understand the procedures.

Mr. WILLIAMS of Delaware. I have examined the hearings, and I notice that a whole series of witnesses appeared before the committee who would be benefited by this bill; and they testified in favor of it. I do not see listed here the representatives of many of the agencies of the Government. Did they testify? Did the Senator have anyone from the retirement system of the Civil Service Commission or from any of the other agencies testify before the committee?

Mr. YARBOROUGH. If the Senator from Delaware will kindly withhold his question for a moment, the Senator from Iowa [Mr. MILLER] wishes to offer an amendment. I should like to say to him that, yes, we shall take his amendment to conference.

The Senator from Iowa must catch a plane in a few moments, and I wonder whether the Senator would mind if he offered his amendment at this time.

Mr. WILLIAMS of Delaware. I have no objection.

Mr. MILLER. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated, for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from Iowa proposes to amend the bill, on page—

Mr. MILLER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment submitted by Mr. MILLER is as follows:

On page 12, after line 25, insert the following new section:

"Sec. 206. Notwithstanding any other provision of law, no retired member of any regular component of the uniformed services who holds any civilian office the compensation for which is determined in accordance

with the Classification Act of 1949, as amended, shall receive salary for the performance of the duties of such civilian office at a rate which combined with the rate of retired or retirement pay received by him is in excess of the maximum rate authorized by such Classification Act of 1949, as amended; and no retired member of any of the uniformed services who holds any civilian office the compensation for which is not determined in accordance with the Classification Act of 1949, as amended, shall receive salary for the performance of the duties of such civilian office at a rate which combined with the rate of retired or retirement pay received by him is in excess of the rate of salary received by the head of the department or agency by which he is employed."

Mr. MILLER. Mr. President, the purpose of the amendment is to avoid a possible inequity which some of us believe we have detected. The Senator from Texas [Mr. YARBOROUGH] has very graciously consented to take the amendment to conference, where the conference committee will have an opportunity to check the amendment with the appropriate Civil Service officials. I understand that under those circumstances, the amendment is acceptable.

Mr. YARBOROUGH. Yes, I agree to take the amendment of the Senator from Iowa to conference. As the Senator from Iowa has said, both Houses can check it.

Mr. MILLER. Mr. President, I move the adoption of my amendment.

The amendment was agreed to.

Mr. YARBOROUGH. If the Senator from Delaware will kindly let me have his question again, I shall try to answer it promptly.

Mr. WILLIAMS of Delaware. My question was that in looking over the hearings I noticed that representatives of the organizations affected did testify in favor of the bill, but I do not see that many representatives of the agencies of the Government testified. Did representatives of the Civil Service Commission's Retirement Division or the Defense Department testify?

Mr. YARBOROUGH. Mr. John Macy, Jr., Chairman of the U.S. Civil Service Commission testified. He was accompanied by Mr. Robert Hampton, Commissioner; Mr. Harold Leich, Chief, Program Planning Division, Bureau of Programs and Standards; and also by Frank M. Witham, program planner of the same Bureau.

Mr. WILLIAMS of Delaware. Yes, I have read Mr. John Macy's testimony.

Mr. YARBOROUGH. That is on page 23 of the hearings.

Mr. WILLIAMS of Delaware. Did anyone testify in connection with the retirement provision?

Mr. YARBOROUGH. No, he did not testify on the retirement provision, because this bill has nothing to do with civil service retirement.

Mr. JOHNSTON. Let me repeat: The reason we did not have anything on retirement in this bill is that it deals with dual compensation, not with retirement.

Mr. WILLIAMS of Delaware. The Senator has been chairman of the committee long enough to know that one cannot deal with the compensation of a civil service employee without affecting

subsidy extended solely to professional (20-year) military retirees—at the expense of the already overburdened American taxpayer, career civil service employees and military veterans in Government.

We feel that dual compensation should be abolished or at least drastically reduced, if only in the interests of economic solvency. It is ridiculous for the Federal Government to be paying some people two incomes and giving them two careers, through early or premature retirement, while millions of unemployed Americans today do not have one job or even one Federal income. Taxpayer funds should be applied to more pressing needs or other more critical areas.

We seriously question the "level of competence" of the Civil Service Commission and others in submitting proposals so heavily laden with loopholes as to "militarize" the American civil service system. Dual compensation legislation as proposed by the CSC makes railroad featherbedding (37,000 firemen on diesel engines) look like an efficiency engineers' utopia. The Pentagon already admits that 24,278 military retirees (20 years) or dual compers now occupy lifetime civil service jobs at double expense to the taxpayer. We feel that this figure was misleading and misrepresented in recent Congressional testimony as it only relates to the Department of Defense. If a Government-wide figure were available (and it should be before this legislation receives any more consideration) it is possible that there are as many as 75,000 military retirees (20 years) now receiving dual compensation from the Federal Government. This is particularly significant as the railroad firemen featherbedding issue only involves 37,000 jobs.

By 1970, we estimate that if existing dual compensation limitations are relaxed that at least 250,000 military retirees (20 years) will be occupying lifetime Federal civil service jobs and collecting dual compensation. No other Americans are allowed to do this, and this includes railroad firemen, social security retirees, civil service retirees (including veterans) and most if not all of American industry or business. In fact, we do not know of one American corporation or business today that extends dual compensation to its employees such as proposed in the proposed legislation. If they did this, plus the noncontributory retirement system granted military personnel (while civil service pays 6½ percent) they would no doubt soon go bankrupt. We estimate that in the next 6 years or less that proposed dual compensation legislation would increase Federal manpower and payroll cost by \$500 million per year. And this is not including the cost of the pending military pay raise. In fact, dual compensation is in effect a hidden or secondary pay raise for professional military retirees (20 years). It will be the death knell of a career and merit-oriented American civil service system. If proposed legislation is adopted by the Congress, it will lay the foundation for the most expensive bureaucracy in American history.

We agree that existing dual compensation laws are unfair and need changing. But the change that is needed is to tighten or restrict this privilege, rather than open up the floodgate for a potential spoils system in civil service jobs. Rather than a 6-month waiting period for retired military being rehired in Federal civil service jobs, we feel that the waiting period should be 3 years in order to discourage collusion and the buddy system which now exists in the hiring of many retired officers in high salary civil service jobs. We feel that 3 years is an appropriate period as it coincides with existing limitations on retired officers selling procurement contracts to the Pentagon. We feel that a lifetime civil service job often involves as much money as an average defense subcontractor procurement contract.

We also feel that the proposal to raise the dual compensation ceiling to \$20,000 per year is ridiculous. You might as well raise it to \$50,000 per year, then all retired military could enjoy this new form of Federal featherbedding at taxpayer expense. In fact, we wonder if dual compensation limitations should not be extended also to the defense industry. In many cases, military officers retire in the Pentagon one day and are working the next day for the XYZ defense contractor at \$20,000 per year and up. They collect their full pension and the new salary (which ironically still comes from Federal funds via chargeoffs to defense contracts) and in effect are still on the Federal payroll but not subject to dual compensation limitations.

We feel that many labor, employee, citizen, and veteran organizations have literally fallen asleep at the switch as to the cost and impact of proposed dual compensation legislation. To achieve a clearer perspective as to the illogical nature of dual compensation, imagine the Federal Government as a long railroad train. We find professional military officers and enlisted men getting off this train via retirement in 20 years—and then getting back on this same train in such agencies as the Department of Defense, NASA, CIA, FAA, State, Commerce, Interior, Labor, Immigration Service, the Civil Service Commission, and even in Congress or the judicial branch itself—and collecting their full pensions and a new fresh start salary at one time. Nobody else is allowed to do this; and this is what we mean by Federal featherbedding.

We have no objection to military personnel retiring in 20 years even at 40 years of age. But, we feel strongly that dual compensation should not be allowed until they are at least 60 years of age. This age criteria is already applicable to most Reservist retirements with the exception of enlisted personnel who for some mystic reason are not subject to dual compensation restrictions. The 60 years of age criteria also applies to most civil service retirees whether they are military veterans or not. We fail to see any argument for the present "double standard" in Federal Government retirement policies. The present situation is costly, unfair, and needs prompt congressional correction.

Civil service employees (veterans included) now pay 6½ percent of their salaries into the retirement fund, and are not allowed dual compensation. If they are rehired in a Federal job they forfeit their entire pension—even if they have paid retirement for 30 years at 6½ percent. However, in contrast, professional military retirees (20 years) who pay nothing into the retirement fund are allowed to retire—take a lifetime civil service job and collect their full pension for in some cases as long as 30 more years. There is little wonder in this type of spending why the national debt is at an all time record high.

Arguments put forth by vested military interests that dual compensation is a necessary expense to acquire rare and hard-to-get occupational skills lost when military personnel retire are not valid. If the retiring officer or enlisted man was so skilled and needed then why did the service allow him to retire prematurely in the first place? In fact, existing dual compensation loopholes are creating or compounding the reenlistment problem in all services as the Federal Government is financing or encouraging enlisted men to retire prematurely through existing dual compensation incentives which may be given to a 38-year-old airman or soldier who has 20 years' service. Most of the dual compers in the Government today are enlisted men and it is easy to see why they leave the service.

We also question how can a military man acquire more skill and experience in a civil

service type job or duties (even in Department of Defense) than the career civilians who in many cases spend 10 to 15 years in the same specialized area? The skill argument for dual compensation is weak, unsound, and laden with legislative obfuscation.

In fact, and until the constitutionality of the reservists in Congress is decided by the Supreme Court, a cloud of illegality hangs over much of the military legislation and expensive fringe benefits (including the \$1.2 billion military pay raise) now being ramrodded into law. One taxpayer suit could cause the dual compensation laws to be voided (via the Supreme Court) even if enacted, due to the conflict of interest within Congress itself. These are serious and somewhat stunning charges. However, they must be promptly faced if we are to present ourselves as an example of good government and informed democracy to the rest of the world.

Other reasons why we oppose existing dual compensation legislation are:

1. Veterans preference: It will dilute or downgrade veterans preference by establishing a new form of "superveterans" preference through job and pay advantages extended exclusively to 20-year military retirees (via dual compensation) at the expense of other veterans now in career civil service jobs. For example, a veteran with as much as 19 years' military service (who is not eligible for dual compensation) might be getting paid \$8,000 per year in his civil service job—while sitting at the same desk and doing the same job as a "superveteran" (20-year retiree) will get his \$8,000 pay plus possibly as much as \$4,000 retirement pay at the same time. This will cost the Government a total of \$12,000 for an \$8,000 job—and violates the long standing labor principle of equal pay for equal work.

2. An aged civil service: It will tend to "age" the American civil service system by loading it down with so-called fresh start 40 to 50-year-old military retirees. This will destroy job opportunities for thousands of jobless and unemployed Americans; reduce employment opportunities for young people coming out of school; and also reduce employment opportunity for young veterans (less than 20 years' service) coming out of the military service or having completed the draft. In one action, the Federal Government will be paying taxpayer money to aggravate the unemployment situation; the juvenile delinquency problem; destroy the integrity of the career civil service system and at the same time lower military reenlistment rates.

3. Dual compensation overpayments: This legislation will legalize or cover up the illegal overpayment of millions of dollars of taxpayers' money already paid out in violation of existing dual compensation laws to military retirees. One reported case involving an officer is estimated to involve \$30,000 in overpayment. There are apparently thousands of cases brought out by General Accounting Office investigation. Collection of overpayment is apparently being held up in the hope that this legislation will make it all legal. Worse still is the loophole that if dual compensation laws are approved that they will not apply to the present job incumbents who collect 20-year military pensions. This means that thousands of retirees will continue to ride the Federal gravy train for the rest of their lives—regardless of what new laws are on the books. The laws will not apply to them. This is a ridiculous situation, that suggests unconstitutionality.

In summary, we feel that the existing laws on the books and legislation proposed in this session of Congress are inadequate, too complicated, unfair and ineffective solutions to the dual compensation problem. Our recommendations are:

(a) Dual compensation as a Federal retirement policy should be abolished or drastically curtailed.

(b) Failing this, then dual compensation should be limited only to military retirees of 60 years of age and this criteria should be applied to all military retirees—Regular and Reserve officers and enlisted men. This would eliminate the present inequities within the services themselves.

(c) To discourage the present tendency toward a "spoils system" in retirees getting Federal jobs (particularly in Department of Defense) a 3-year waiting period should be enforced to prevent military retirees being collusively rehired back into the Government at double expense to the taxpayer. Only in rare skill cases should waivers be granted or exceptions made.

These viewpoints have not been hastily arrived at. They represent a position developed by the lodge membership, its officers, two presidents and our executive council over the past several years.

Respectfully,

JOSEPH W. WESTHORN,
President,
AFGE Lodge No. 1092.

ARLINGTON, VA.

Mr. MANSFIELD. Mr. President, in summary, as I read the hearings and my mail in opposition to this proposed legislation, here are the specific charges that are made:

First. It is antilabor and antiveteran—those with less than 20 years' service.

Second. It will cost the American taxpayer hundreds of millions of dollars in increased Federal manpower costs.

Third. It will expand the civil service job spoils system now existing in many Federal agencies where 20-year military retirees are collusively hired by their own buddies.

Fourth. Perverts and distorts the original intent of Congress in granting dual compensation as a very limited and restrictive privilege to retired Reserve officers over 60 years of age.

Fifth. It is economically unsound. It is not practiced in any American industry or corporation that we know of. It is unethical and unfair in the sense that it is a new form of "economic featherbedding" on the American taxpayer.

Sixth. It will destroy ordinary veterans preference in Federal jobs by establishing a new category of "super veterans preference" for 20-year military retirees at the expense of other veterans in civil service jobs.

Seventh. Nobody knows—and this includes the Civil Service Commission, the Defense Department, and the General Accounting Office—as to how many retired military now occupy civil service jobs throughout the entire Federal Government and are receiving double pay or dual compensation. One estimate is that there are 26,000 military retirees—20 year—now receiving dual compensation in the Defense Department. We estimate in the next year or so, there will be 75,000 or more dual compers in Federal jobs if this legislation is enacted.

Eighth. This legislation will merely legalize or cover up overpayments to 20-year retirees running into the millions of dollars. Worse still it will legalize those already hired to continue to be overpaid. One overpayment case to a 20-year military retiree amounts to \$36,000.

Ninth. H.R. 7381 makes the railroad featherbedding issue look like an economy drive. It most surely contradicts present White House efforts toward frugality and economy in Government.

Tenth. It is completely inconsistent with other Federal retirement policies. A combat veteran of World War II with 19 years' service who enters civil service pays 6½ percent of his salary into the civil service retirement fund, yet he cannot collect dual compensation. A citizen-reservist can complete 20 years of military reserve duty yet he must wait until he is 60 years of age to collect dual compensation. Finally, social security retirees are limited to the poverty level of \$1,200. Civil service retirees who return to Government lose their entire pension and this includes veterans—with less than 20 years' service.

Eleventh. It will increase unemployment. There will be less opportunity for young people in Government because dual compensation will load down the American civil service system with overage, second career, 20-year military retirees. Through dual compensation, the Government will actually be paying to increase unemployment, juvenile delinquency, and welfare/relief problems. In fact, many career civil service employees—veterans, too—have already been forced out of their jobs, or into early or premature retirement, or onto unemployment roles by the influx of 20-year military retirees—dual compensation motivated—taking over Federal jobs in all agencies via the "buddy system."

Merit promotion or experience have little to do with it. The civil service system itself needs a major overhaul to eliminate the growing collusion, favoritism, and recruitment riggings in agencies now dominated by active duty or retired military officials in key or top management positions.

Mr. WILLIAMS of Delaware. I appreciate the cooperation of the Senators in carrying this measure over. Meanwhile, we can get answers to the questions that have been raised.

There are many features of the bill which are meritorious, but questions have raised which need to be answered before the bill is passed. If we carry it over at this time we can work out the answers.

Mr. YARBOROUGH. Mr. President, if the distinguished Senator from Delaware will furnish us those questions before the Senate reconvenes on July 20, we shall have the various agencies of the Government seek to obtain the answers. Many of the questions are technical. They come before the Civil Service Commission. We shall have written answers prepared in advance. The questions have been worked on by the committee for months. The answers were not in writing, but we shall have them in writing.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Monday, July 20, 1964, the Senate proceed to the further consideration of H.R. 7381, the Dual Compensation Act, and that debate thereon and on all amendments, if any, proposed thereto, shall be limited to 2 hours, to be equally divided and controlled, respectively, by Mr. MANSFIELD and Mr. DIRKSEN.

ORDER FOR ADJOURNMENT TO 9 A.M. TOMORROW, SENATE THEN TO ADJOURN UNDER AUTHORITY OF HOUSE CONCURRENT RESOLUTION 321, AS AMENDED

Mr. MANSFIELD. Mr. President, I send to the desk a proposed order, and ask that it be stated.

The PRESIDING OFFICER. The proposed order will be stated.

The LEGISLATIVE CLERK. The proposed order reads as follows:

Ordered, That when the Senate concludes its business today it adjourn to meet at 9 o'clock a.m. on tomorrow (Friday); and that immediately after convening on that day, the Presiding Officer shall, without the transaction of any business or debate, declare the Senate adjourned, under authority of H. Con. Res. 321, as amended, until 12 o'clock noon on Monday, July 20, 1964.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that there will be no further business today or tomorrow. At the conclusion of the brief session tomorrow, the Senate will stand in recess until noon on Monday, July 20.

The order of business which I am about to state is subject to change; but it is anticipated that on July 20, the Senate will turn to the consideration of Calendar No. 910, the bill (H.R. 8864) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes.

That bill would be followed by Calendar No. 970, the bill (S. 2272) to insure the availability of certain critical materials during a war or national emergency by providing for a reserve of such materials, and for other purposes, which is the so-called stockpile disposal bill; and Calendar No. 911, the bill (S. 332) to prohibit trading in Irish potato futures on commodity exchanges.

It is our understanding that the anti-poverty bill, which was to be reported on Tuesday by the Committee on Labor and Public Welfare under an agreement of sorts which has been reached, will not be reported to the Senate until July 21, and will be taken up sometime shortly thereafter.

After we return on the 20th, we would like to have the Senate consider the bill (H.R. 11380), the foreign aid bill.

Other measures which will be ready or which should be ready for early consideration are, first, the bill which would extend the Hill-Burton Act, and which, I understand, will be reported during the

man. While he does not speak long, he always speaks to the point. A man would have to be rather ill informed, or perhaps even stupid, not to understand what the Senator from Michigan means.

It is my view that the sugar agreements which we have made in the past have, in the main, served the consumer's interest.

Mr. McNAMARA. I agree.

Mr. HUMPHREY. We did achieve price stability. Then came the situation when the Cuban sugar went into Soviet orbit, so to speak. It is a fact that the Soviet Union has been receiving sugar in payment for arms it has sent to Cuba. As a result, the normal economic laws have not applied, because the market has been somewhat manipulated. I hope we can restore the balance we had for many years in connection with sugar prices.

Mr. McNAMARA. I agree with the Senator. I join in the hope he has expressed. However, I wish to point out to him that it was long after the Cuban incident that the tremendous rise in the price of sugar occurred, so far as the consumer was concerned; it was many years after the reduction in the quotas and the cutting off of quotas to the Cuban sugar-producing areas. I do not believe we shall find that situation to be the total answer. Many other manipulations must be considered.

Mr. HUMPHREY. The National Food Commission, which the President asked for, and which Congress has set up, will, I am sure, give thorough consideration to many such commodities. It will concern itself with the retail price of beef, for example. It will look into the retail price situation at a time when the wholesale prices are going down. We hope to have some very interesting revelations made as a result of these studies.

Mr. McNAMARA. I do not wish to go too far afield, by considering either beef or bread; but in the Detroit area there has been some difficulty in connection with bread. Those concerned have come to me and have protested the importation of bread from Canada. I looked into the matter in Detroit, and found that the largest importers of bread are the bakeries, the very people who have been complaining to me about the importations of bread. The big bakeries have been importing bread, while at the same time complaining to me about it.

Some very peculiar things are going on; and I believe they must be corrected.

Mr. HUMPHREY. I thank the Senator from Michigan.

DUAL EMPLOYMENT AND DUAL COMPENSATION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 904, H.R. 7381, so that it may be made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7381) to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one

position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with amendments on page 12, after line 5, to strike out:

Sec. 205. Notwithstanding any other provision of law, a retired member of any of the uniformed services shall not be appointed to any civilian office in the competitive civil service unless (1) the United States Civil Service Commission shall have given prior public notice of the fact that a vacancy exists in such office and of the fact that an assembled examination (including written tests, oral interviews, and security investigation), where practicable, or a combination of an assembled or nonassembled examination, where practicable, open to all persons, is to be given at a specific time and place, but not before the thirtieth day after the date such notice is first given, and (2) such office is filled only from among those qualified persons who successfully complete such examination. This section shall not affect the authority of the Administrator of the National Aeronautics and Space Administration contained in section 201(e) of this title.

At the beginning of line 22, to change the section number from "206" to "205"; on page 13, after line 17, to strike out:

(c) The President of the Senate with respect to the United States Senate, the Speaker of the House of Representatives with respect to the United States House of Representatives, and the Architect of the Capitol with respect to the Office of the Architect of the Capitol each is authorized to provide for a means by which exceptions may be made to the restrictions in subsection (a) of this section whenever he determines that such exceptions are warranted on the ground that personal services otherwise cannot be readily obtained.

And, in lieu thereof, to insert:

(c) Unless otherwise authorized by law, no money appropriated by any Act shall be available for payment to any person of salary from more than one civilian office if the aggregate amount of the basic compensation from such offices exceeds the sum of \$2,000 per annum, and if (1) one of such salaries is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives or (2) one of such offices is under the Office of the Architect of the Capitol.

On page 15, after line 2, to insert:

(5) compensation received by any person holding an office or position the compensation for which is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives or any office or position under the Architect of the Capitol;

At the beginning of line 8, to strike out "(5)" and insert "(6)"; at the beginning of line 11, to strike out "(6)" and insert "(7)"; on page 17, after line 10, to insert:

(f) This title shall not be applicable to persons employed under the joint resolution approved July 6, 1961 (75 Stat. 199; Public Law 87-82), or under section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (54 Stat. 1056; Public Law 812, 76th Congress).

And on page 34, after line 10, to insert:

(c) Nothing contained in this Act shall be construed to repeal or modify the provi-

sions of the last paragraph under the heading "Administrative Provisions" in the appropriations for the Senate contained in the Legislative Branch Appropriation Act, 1957 (70 Stat. 360; 2 U.S.C. 66a).

QUALIFICATIONS FOR THE OFFICE OF SENATOR

Mr. ALLOTT. Mr. President, once in a long time something which comes along in a publication is as refreshing as a bright spring morning.

A short time ago, the editor and publisher of the Burlington Record wrote an article entitled "Yep, Quite A Change". In the article he discusses some of the foibles and some of the absurd things that are going on in America today.

The article is so reminiscent of the very best of William Allen White, that I ask unanimous consent that it be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

YEP, QUITE A CHANGE

Something is happening in the political picture of America today on which I am a little vague or else the thrill of it all has so far managed to escape me. Apparently, the newest lark or thing to be in with is to run for the Senate in a State in which one does not reside. According to the California primary, it's the only sure way to win an election. And it does make sense, doesn't it? After all, if nothing (good or bad) is really known about such a candidate, why should a voter post a negative ballot?

It's been rumored that one has to maintain residence in a State for a required amount of time in order to vote, but—wonder of wonders—not to run for the Senate.

Now, I ask, if we are going to attempt inner-State campaigns for our own representatives, let's abandon the traditional 50-State concept and consolidate into one mammoth glob * * * the United States of America? And why not? When one considers the unbelievable percentage of governmental workers in the Nation today, it just might be feasible to consider such a setup when one also realizes that that same employment could be sliced almost in half under a single U.S. deal. Actually, if we still kept our current local and State governments and combined them into one * * * who needs the present Federal Government?

Think of the panic such a situation could cause throughout our United States. Unemployment would be at an even greater all-time high and the ensuing years might even make the WPA days seem mild as we envision breadlines stretching into the miles.

But why daydream? This all doesn't really seem practical since the Washington heads would never let such a movement get off the ground. However, the whole thing could have another application with regard to our roving candidates.

If, for instance, a young Senator tried a radical way out move in his own State and realized too late, that in the next election he wouldn't even make it out of the starting gate; he could pack his little bag and present himself and his views in a State where his beliefs might appear more practical.

Now, we have established another trend * * * vote for Joe Schmoo, the unbeatable Senator from Colorado, Kansas, Utah, California, and New York. Take your pick, he'll be equally happy to represent one State as the other * * * just so he gets elected somewhere. But here our young gentleman could possibly find himself in deep water. Suppose he appeals to more than one State at the same time? Well, the

answer to that is merely adjusting one's campaign strategy so the pulse of the people, is tapped so well that he will never please but one of the States at any given time.

In conclusion (and this thing must be concluded sometime else it mushrooms out of control), when Colorado politicians ask themselves what office they should attempt to snare, a chubby, short, crewcut, dark, cigar-smoking and victory-fresh man might say—

"Colorado? Bah. Forget home ties and native pride . . . look for greener pastures before you announce candidacy. But stay out of California—that's mine now."

THE WAR ON POVERTY

Mr. ALLOTT. Mr. President, I have received a very interesting letter from Mrs. Don Wright, of Olney Springs, Colo. She addressed her letter to the human-interest editor of the New York Times; and in the letter she discussed many aspects of poverty and the absurdity of our programs and attempts to solve such problems in this country.

I ask unanimous consent that her letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

OLNEY SPRINGS, COLO.,
June 16, 1964.

NEW YORK TIMES,
New York, N.Y.
(Attention: Human Interest Editor).

DEAR SIR: Hall. Please don't lay this aside until you have read it. I'm determined to see what I can find out about the principles of this Nation and would appreciate if you would help me.

I want to know how a citizen informs the uninterested taxpayer of information vital to each and every taxpayer and vital to our Nation. You will hear them say, "What do I care about the beef industry? I couldn't help the stockman because I know nothing of his situation."

There is nothing more American than a T-bone steak, a hamburger, or a hot dog. Without the beef industry these American foods will not exist. While the livestock producer is in the minority according to his voting potential, he is the backbone of the Nation when it comes to producing its food. If you break him you will break the Nation. I want to know how to let the public know the seriousness of a current problem, what they can do to help; and also why a minority voice is ceasing to be heard in this land where there is supposed to be opportunity for all with each person supposing to have a voice in the Government. The beef quota, which is the quantity of pounds of beef which may be imported into the States, is so high that it is going to break the cowman and force him to become dependent upon the Government; the Government being you, the taxpayer. His dependency will not only increase your taxes, it will lead to a very socialized way of government. The cattleman has always been very independent, and would like to remain that way if this administration will do something to stop the beef import.

I am a housewife, not an average housewife, however, for I'm married to a young man who would like to make a successful career out of farming and ranching. Do you have any idea of the impossibility of this desire? Both of us have been reared in the country. We love the land and the stock and are willing to work to get on our own, but how can we when this administration seems insistent that the agriculture people become just another puppet on their strings?

We are employed by a rancher-farmer, draw a small monthly wage, get a share of the crop, a house to live in, pasture for 10 head of cows. By living very modestly we have tried to increase our livestock herd yearly. On paper it would seem that you could live on the salary and crop profits, leaving the livestock as a means for securing capital necessary to become independent.

A rancher's life is not such an open and shut case. A dry year last year took all of the livestock profit to live on and acquire enough feed to maintain the livestock herd. This administration's grain programs are producing an abundance of grain which leads to an excess of beef. As if this wasn't enough, they refuse to limit the imported beef; hence our market prices are going lower and lower. Under normal circumstances when there became an oversupply of beef there would be a drop in prices, but then when the demand rose again the gain would replace the cowman's loss over the low-market years. With the import this cannot happen, the cowman's loss will be final.

Another very vital factor which the wage earner could stop by placing a no vote on farm subsidy programs is the "government farmer." This is the man who obtains all the land that he possible can, puts it into the grain programs, and lets the taxpayers pay for his land that he has purchased. People like this do not cut down the grain supply as the bill was intended to do. The taxpayer merely pays him for doing nothing to abate the supply. This man also has increased the price of land, its taxes, and its unavailability. All of these facts contribute to the fact that someone like us cannot possible acquire enough capital to start our own enterprise as it will take a fortune.

This is supposed to be the land of opportunity, home of the free, yet at the very much publicized family-invited news conference that President Johnson had on the White House lawn, there was not one question regarding the beef import situation. Why? I'm under the assumption that these conferences are to inform the Nation about the status of the Nation, its Government, and affairs. How can the citizens become informed if the facts are not presented to them?

Johnson's "war on poverty" headlines everything. I fear his concern is not for the poor, it is for how many votes he can secure—for how can he eradicate poverty when he is creating more of it all the time by ignoring the cattlemen's import protests?

How does this situation affect you and every New Yorker on the street? You are paying taxes for nothing. The feed-grain program costs you \$2.5 billion, the purpose of which was to cut down the oversupply of feed grains. After 3 years the corn crop of 1963 was the highest ever produced. (Enclosed please find some very good literature which will support my statements).

Yes, I am a Republican, prejudiced, but I'm also concerned over our three daughters. If things progress as they are now the taxes that they will inherit from our stupidity, from our thrifless generation will be astounding. Can't something be done to stop this waste of money?

If every wage earner's taxes were not withheld from his weekly paycheck, he would probably have trouble paying his taxes in April. However, if his taxes had to be paid as one lump sum he would soon realize how high they are and perhaps would take the trouble to vote down these atrocious bills or at least take the time to study about how the tax dollar is being wasted and misused. A little study would soon show him that every cowman that is put out of business becomes competition for him as the cowman must become a wage earner too.

My father has been a Colorado rancher all of his life so I feel as if I'm fairly well versed on the subject. I just want to know why the minority, the independent enterprises, are being forced to succumb to governmental control in a land which boasts of free enterprise? How can a concerned American citizen belonging to this minority make his argument heard and listened to by the majority?

After all, it is the fear of poverty which induces every man to work and improve his standard of living. Let us not take away our free enterprises; for a socialistic nation only exists on governmental desires, while a free nation will thrive to become "one nation, under God, with liberty and justice for all."

Yours truly,

Mrs. DON WRIGHT.

THE SUDETEN GERMANS

Mr. ALLOTT. Mr. President, for many years, I have been interested in Sudeten German Day, held on Whitsuntide, and what it means to people living all over the world. I have from Dr. Walter Becher, secretary general of the Sudeten German organization, a letter expressing to me his thanks for my interest in this subject.

Because I believe Americans should never forget what is happening in Germany, and what has happened since World War II, I ask unanimous consent that the letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

SUDETFENDEUTSCHER RAT E. V.,
München, den, June 26, 1964.

Hon. GORDON ALLOTT,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: On the occasion of July 4, the American National Independence Day, I would like to express to you the best congratulations on behalf of the Sudeten German people.

The fate of the whole world depends on whether the great American ideals of the past will prevail also in the future. The hopes of all freedom-loving people and also of my people rest on your great country and above all on the statesmen in the Congress of the United States. We pray that your work may succeed and feel, today more than ever, closely attached to your great people and its great traditions and ideals.

On your national day, I send you the best wishes for your country, for you and your human and political work.

With kindest personal regards.

Yours very sincerely,

DR. WALTER BECHER,
Secretary General.

Mr. ALLOTT. Mr. President, if no other Senator wishes to address the Senate, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KEATING. Mr. President I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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and the science club. He took and passed his college board examinations during his junior year with high marks in math and science, his favorite subjects. He had been accepted by both colleges to which he applied for admission, and was trying to come to a decision as to which college offered courses best suited to his future plans and ambitions.

He was a member of St. Andrews Episcopal Church where he was christened when he was 2 years old and confirmed when he was 13. He was an active member of the Pacific Chapter, Order of Demolay, and had just been elected master counselor. He had to leave before his installation which was to have taken place in February. He belonged to the YMCA where he was taking judo lessons and progressing very well. He was also about to complete his driver-training course, and his dad was teaching him to drive the car.

Our U.S. press has exploded this normal, everyday boy into a monster, a hoodlum, a delinquent and has made him the object of vile and cruel letters. His protest to the President of the United States against removal of the American flag from the front of the U.S. schools was truly sincere in its intent, but it catapulted him in to a hostile world of misinformed adults who have pointed fingers at him and called him an assassin, who have plastered his name across the Nation as a showoff, and posed him for pictures which any person would be ready to condemn at first sight. There have also been veiled threats such as a shooting incident aimed at a Jenkins residence (no relation) in Cambridge, Ohio, linked to his pending arrival there.

What will happen to our boy from now on? As his parents we are frightened for his safety from fanatics, for possible loss of his faith in love and human understanding, and for his chances in the United States to complete his education. He has been taught to respect the law and to believe in justice. He broke no laws, but he has been condemned.

This incident has already cost him dearly, and his dad and I are praying that he may never become convinced that he was the cause of all the trouble and deaths, U.S. citizens, soldiers, and Panamanians alike, for he and the other students, again both the U.S. citizen and the Panamanian students, were cruelly used as an excuse to unleash trouble already brewed. It was crouched and waiting.

Surely intelligent, thinking, and informed persons cannot honestly believe that the burden of the strife here should rest on the shoulders of a 17-year-old student who, very briefly, backed a cause in which he firmly believed—that of keeping before his school the U.S. flag which was symbolic of his happy childhood and his future life as a citizen of the United States of America—to a lad of 17 the most wonderful country in the world.

BENEFITS TO VETERANS OF WORLD WAR I

(Mr. ST GERMAIN (at the request of Mr. MATSUNAGA) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, I respectfully request permission to revise and extend my remarks and to include a resolution passed by the General Assembly of the State of Rhode Island memorializing Congress, requesting favorable consideration to legislation providing benefits to the aged, ill, and disabled veterans of World War I in the form of pension or any other means which provide relief so vitally needed.

STATE OF RHODE ISLAND

(H. Res. 1043, memorializing Congress requesting favorable consideration to legislation providing benefits to the aged, ill, and disabled veterans of World War I in the form of pensions or any other means which provide relief so vitally needed)

Whereas many hundreds of thousands of our Nation's finest citizens served the cause of democracy during the period of World War I; and

Whereas a large number of these veterans have now reached the age and circumstances in which they are no longer self-supporting, as well as suffering illnesses and infirmities aggravated by this honorable service to their country; and

Whereas through no fault of their own, they have largely become a class of forgotten men, many of whom are close to the grave: Now, therefore, be it

Resolved, That the members of the House of Representatives of the State of Rhode Island recognize the predicament of these veterans of World War I and petition the Congress of the United States to give favorable consideration to H.R. 2332 (World War I Pension Act) providing benefits to the aged, ill, and disabled veterans of World War I in the form of pensions or any other means which will provide relief so vitally needed; and be it further

Resolved, That the recording clerk of this house of representatives is hereby authorized and directed to transmit duly certified copies of this resolution to the President of the United States, to the Director of the U.S. Veterans' Administration, to the Director of the U.S. Bureau of the Budget, to the chairman of the House Committee on Veterans' Affairs and to the Senators and Representatives from Rhode Island in the Congress of the United States.

SALVATORE R. CASOSO,

Recording Clerk.

H.R. 7381: DUAL COMPENSATION ACT

(Mr. FASCELL (at the request of Mr. MATSUNAGA) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the bill before us today is a long-awaited and much-needed measure. The chairman and members of the Committee on Post Office and Civil Service are to be commended for their long and diligent efforts and for bringing to the House this comprehensive and workable approach to the extremely complicated and diverse dual compensation and dual employment laws now in effect.

Last July I introduced a bill to exempt certain officers of the Armed Forces from dual office and compensation restrictions. This bill would exempt Reserve officers of the Army and Air Force who have served on active duty in a temporary grade equal to or higher than their Reserve grades and are retired for disability in such temporary grades from the dual compensation restrictions of section 212 of the act of June 30, 1932, as amended. It would also exempt any non-Regular officer member of the Armed Force who is retired in a temporary warrant officer status from the dual-office restriction of section 2 of the act of July 31, 1894, as amended.

I am pleased to say that in their wide survey of the inequities involved under our present laws, the Committee on Post

Office and Civil Service included the provisions of my bill in H.R. 7381.

In the committee's report, numerous cases were cited whereby a Federal agency was unable to obtain qualified persons, because of the limitations placed on the salaries of retired military personnel by the dual compensation-dual employment laws. The bill before us today will eliminate this unfortunate and binding restriction and allow the Federal Government to employ the skilled and knowledgeable manpower it needs.

In addition, it will certainly clarify the existing statutes on dual compensation-dual employment and bring under one statute the Government's policy on this subject. This will undoubtedly eliminate the hardships caused individuals as a result of inadvertent or good faith misunderstandings of the application of the law.

A case in point is a private bill I introduced in the last session to relieve a person of liability for repayment to the Federal Government a rather large sum of money paid him for his services to a Federal agency. This gentleman was a retired chief warrant officer serving as a temporary W-2 when he was granted retirement. A short time later he applied to the Federal agency, at the same time inquiring through the U.S. Navy Finance Center as to his status under the Dual Compensation-Dual Employments Acts. He was told that he was generally precluded from taking a Government position; however, the determination was the responsibility of the employing agency.

On his form 57, his retired status was clearly stated and a short time later he was notified that his application was accepted. Approximately 3 years later it was discovered that this person's employment was precluded by the Dual Employment Act and he was notified that he must repay the 3 years' salary he had received for his services.

In reporting on this bill, the agency stated:

From these facts it is apparent that it was due to an error on the part of this agency that Mr. B was hired. It further appears that while Mr. B had some misgivings about the propriety of his appointment, these were dispelled by this agency's willingness to employ him knowing of his retired status.

It would seem a most inequitable result that the Government should profit from the services of Mr. B.

And still hold him liable for the compensation paid him for those services.

I am pleased to state that H.R. 7381 will eliminate these inequities and hardships and will, most likely, prevent them from ever happening in the first place.

It is for these reasons, Mr. Speaker, that I add my voice in support of H.R. 7381.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RIEHLMAN (at the request of Mr. ARENDS), for the remainder of this week, on account of a death in his family.

Mr. HARVEY of Indiana (at the request of Mr. HALLECK), on account of illness.

Mr. HOSMER (at the request of Mr. ARENDS), for the week of February 17, on account of official business with the Joint Committee on Atomic Energy.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 15 minutes, today; and to revise and extend his remarks.

Mr. LIMONATI, for 1 hour, today.

Mr. HALPERN (at the request of Mr. GOODLING), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. WICKERSHAM (at the request of Mr. MATSUNAGA), for 5 minutes, on February 19; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. BOLLING and to include an article.

Mr. ROGERS of Florida to have his remarks made during the consideration of the bill H.R. 7381, appear in the body of the RECORD before the rule on H.R. 7381.

Mr. TOLLEFSON and to include extraneous material, notwithstanding the cost is estimated by the Public Printer to be \$405.

Mr. BYRNE of Pennsylvania to extend his remarks in the Appendix of the RECORD and that said remarks appear in the permanent RECORD at the appropriate place on the day that eulogies were paid to the late Congressman William J. Green, Jr.

Mr. MILLER of California in five instances and in each to include extraneous matter.

Mr. RHODES of Pennsylvania in three instances and to include extraneous matter.

Mr. ZABLOCKI in two instances and to include extraneous matter.

(The following Members (at the request of Mr. GOODLING) and to include extraneous matter:)

Mr. FINDLEY.

Mrs. ST. GEORGE in five instances.

Mr. RUMSFELD.

Mr. WESTLAND.

Mrs. DWYER in three instances.

Mrs. REID of Illinois.

Mr. UTT.

Mr. McCULLOCH.

Mr. WHARTON in four instances.

Mr. MORSE in two instances.

Mr. CONTE.

Mr. McCLORY.

Mr. FORD.

Mr. TAFT in two instances.

Mr. SHRIVER.

Mr. BEERMANN in two instances.

Mr. BOB WILSON in five instances.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. HOLLAND in six instances.

Mr. RODINO.

Mr. MACDONALD.

Mr. ROSENTHAL in two instances.

Mr. CAREY in five instances.

Mr. FLOOD in two instances.

Mr. DINGELL.

Mr. FASCELL.

Mr. VANIK in two instances.

Mr. O'NEILL in three instances.

Mr. COHELAN in five instances.

Mr. VAN DERLIN in three instances.

Mr. FRASER.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7356. An act to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2084. An act to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guaranty revolving fund; and

S. 2317. An act to amend the provisions of section 15 of the Shipping Act, 1916, to provide for the exemption of certain terminal leases from penalties.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 18 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 19, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1713. A letter from the Comptroller General of the United States, transmitting a supplemental report on ineffective program planning and uneconomical utilization of personnel assigned to the Air Force Reserve recovery program; to the Committee on Government Operations.

1714. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Prison Industries, Inc., for the fiscal year ended June 30, 1963, pursuant to the Government Corporation Control Act (31 U.S.C. 841) (H. Doc. No. 231); to the Committee on Government Operations and ordered to be printed.

1715. A letter from the Assistant Secretary of the Interior, transmitting a report on the Chelan Division, Chief Joseph Dam project, Washington, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 232); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1716. A letter from the Deputy Secretary of Defense, transmitting a report setting forth the financial condition of working capital funds at June 30, 1963, and the results of their operation for the fiscal year then ended, pursuant to section 405(c) of

the National Security Act of 1947, as amended (10 U.S.C. 2208); to the Committee on Armed Services.

1717. A letter from the Comptroller General of the United States, transmitting a report on improper payments to military personnel for travel of dependents of members of the Department of the Army, pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

1718. A letter from the Comptroller General of the United States, transmitting a report on the uneconomical replacement of vehicles by the U.S. 5th Air Force, Fuchu Air Station, Japan, pursuant to the Budget and Accounting Act 1921, (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

1719. A letter from the Comptroller General of the United States, transmitting a report on deficiencies in the administration of Government quarters, messing facilities, and military leave at Dow Air Force Base, Maine, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

1720. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380), as amended by the act approved July 6, 1945 (59 Stat. 434), and the act approved June 30, 1949 (63 Stat. 377); to the Committee on House Administration.

1721. A letter from the Secretary of the Interior, transmitting a report of the Office of Coal Research relating to coal research activities undertaken during calendar year 1963, pursuant to Public Law 86-599; to the Committee on Interior and Insular Affairs.

1722. A letter from the Acting Director, U.S. Information Agency, transmitting a draft of proposed legislation, entitled, "A bill for the relief of Philip N. Shepherdson"; to the Committee on the Judiciary.

1723. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation, entitled, "A bill to repeal the provisions of law codified in 5 U.S.C. 39, and for other purposes"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 9903. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 so as to strengthen and improve the national transportation system, and to implement more fully the national transportation policy, and for other purposes; without amendment (Rept. No. 1144). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 10005. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. HAGEN of California:

H.R. 10006. A bill to strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances;

ceived by an agency or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELMER ROYAL FAY, SR.

The Clerk called the bill (S. 573) for the relief of Elmer Royal Fay, Sr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Elmer Royal Fay, Senior, captain, United States Army, retired, of Hillcrest Heights, Maryland, the sum of \$228.68, in full satisfaction of all his claims against the United States for compensation for retired pay which was withheld from him by the United States during the period from July 1, 1947, through August 11, 1947, while the said Elmer Royal Fay, Senior, was an employee of the Bureau of Yards and Docks, Department of the Navy, at Washington, District of Columbia: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGIE LOU RADER

The Clerk called the bill (S. 1206) for the relief of Georgie Lou Rader.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Act entitled "An Act providing for the barring of claims against the United States", approved October 9, 1940 (54 Stat. 1061), the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Georgie Lou Rader, of Knoxville, Tennessee, the sum of \$1,440, representing the amount of the six months' death gratuity payable to her upon the death of her son, Second Lieutenant Kenneth R. Rader, who died on March 27, 1945, while serving in the Armed Forces of the United States, the said Georgie Lou Rader having relied upon erroneous information from United States Army personnel that she might file application for such gratuity at any time: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the

provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARCHIE L. DICKSON, JR.

The Clerk called the bill (S. 1445) for the relief of Archie L. Dickson, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Air Force is authorized and directed to determine the amount and effective date of the retirement pay to which Archie L. Dickson, Junior, would have been entitled if (1) the Office of the Surgeon General of the Army in reviewing his case in 1945 and 1946 had found that the said Archie L. Dickson, Junior, was, at the time he was relieved from active duty in 1946, permanently incapacitated for active service and that his incapacity for active service was the result of an incident of service as a commissioned officer in the United States Air Force incurred in line of duty not due to his own misconduct and such a finding had been approved by the President or his delegate, and (2) the Department of the Air Force thereupon had certified Archie L. Dickson, Junior, in the grade of first lieutenant to the Veterans' Administration for the receipt of retired pay under the Act of April 3, 1939 (53 Stat. 557; 10 U.S.C. 2687).

(b) Upon such determination, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Archie L. Dickson, Junior, after deducting any disability compensation he has received from the Veterans' Administration, retired pay in such amount upon the conditions which would have been applicable if such certification had been made pursuant to the Act of April 3, 1939 (53 Stat. 557; 10 U.S.C. 2687).

(c) From the date of enactment of this Act it shall be held and considered that Archie L. Dickson, Junior, has been retired for physical disability and the Secretary of the Air Force is directed to pay him retired pay accordingly.

With the following committee amendment:

Page 1, line 3: After the word "That" insert "in accordance with the findings of fact of the United States Court of Claims in the case of *Archie L. Dickson, Jr. v. The United States*, Congressional No. 4-60, decided November 7, 1962."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY G. EASTLAKE

The Clerk called the bill (S. 1518) for the relief of Mary G. Eastlake.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the service of Mary G. Eastlake, Nurse Director (retired), Public Health Service, performed while in the employ of the Bureau of Indian Affairs, Department of the Interior, before

July 1, 1955, shall be deemed to be active service in the Public Health Service for the purpose of computing her retired pay from the Service as of the date of her retirement (December 1, 1962): *Provided, That the increase in retired pay authorized by this Act shall not exceed the amount which would be payable as a Civil Service retirement annuity based on such service.*

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALESSANDRO A. R. CACACE

The Clerk called the bill (S. 1488) for the relief of Alessandro A. R. Cacace.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Alessandro A. R. Cacace shall be held and considered to be the minor natural-born alien child of Mr. Hilton D. Hall, a United States citizen.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL JAMES BRANAN

The Clerk called the bill (H.R. 5306) for the relief of Paul James Branan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Paul James Branan, shall be held and considered to be the natural-born alien child of Staff Sergeant and Mrs. Thomas D. Branan, citizens of the United States: Provided, That the natural parents of the said Paul James Branan shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, in the administration of the Immigration and Nationality Act, Paul James Branan may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Thomas D. Branan, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTERINA RICUPERO

The Clerk called the bill (H.R. 3264) for the relief of Esterina Ricupero.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

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America in Congress assembled, That notwithstanding the provision of section 212(a) of the Immigration and Naturalization Act, Esterina Ricupero may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

With the following committee amendment:

On page 1, line 3, strike out "section 212 (a)" and substitute in lieu thereof "section 212(a)(1)".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

CALL OF THE HOUSE

Mr. KUNKEL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 34]

Adair	Dowdy	Mailliard
Ashbrook	Edmondson	Martin, Mass.
Ashmore	Finnegan	Meador
Bass	Flynt	Miller, N.Y.
Battin	Forrester	Montoya
Bennett, Mich.	Goodell	Moss
Berry	Gray	O'Brien, Ill.
Blatnik	Green, Oreg.	O'Konski
Bolton	Griffin	Pilcher
Frances P.	Gubser	Powell
Broomfield	Halleck	Price
Brown, Calif.	Hanna	Rains
Brown, Ohio	Harvey, Ind.	Rhodes, Ariz.
Bruce	Hawkins	Riehlman
Buckley	Hoffman	Roberts, Tex.
Burkhalter	Hollifield	Roosevelt
Burleson	Hosmer	Rostenkowski
Burton	Hull	Roybal
Casey	Hutchinson	St. Onge
Cederberg	Jones, Ala.	Short
Celler	Kastenmeier	Smith, Calif.
Chamberlain	Kee	Thomson, Wis.
Collier	Kelly	Tuck
Colmer	Kluczynski	Tupper
Corman	Latta	Udall
Cramer	Leggett	Wickorsham
Davis, Tenn.	Lesinski	Widnall
Dawson	Lindsay	Wilson, Bob
Diggs	Lloyd	Younger
Dorn	Macdonald	

The SPEAKER. On this rollcall, 340 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

READING OF WASHINGTON'S FAREWELL ADDRESS ON FEBRUARY 21

The SPEAKER. Pursuant to a special order agreed to on February 17, 1964, the Chair designates the gentleman from Hawaii [Mr. MATSUNAGA] to read Washington's Farewell Address immediately

following the reading of the Journal on February 21, 1964.

SUSPENDING REQUIREMENTS OF SECTION 315, COMMUNICATIONS ACT OF 1934, DURING CAMPAIGN OF 1964

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President, disagree to the Senate amendments and request a conference with the Senate.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the meaning of the resolution?

Mr. HARRIS. This resolution was passed by the House some time ago suspending the requirements of section 315 of the Communications Act of 1934 for this presidential year. The Senate passed the resolution making some changes and we are asking to go to conference on the differences between the House and the Senate.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. HARRIS, ROGERS of Texas, MOSS, ROSTENKOWSKI, KORNEGAY, HULL, BENNETT of Michigan, YOUNGER, CUNNINGHAM, BROYHILL of North Carolina.

ACTION AGAINST CASTRO'S SUPPLIES

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute.)

Mr. ROGERS of Florida. Mr. Speaker, it is a good sign for those who believe in getting rid of Castro in this hemisphere that the Department of State has just advised that any aid given to the United Kingdom, France, Yugoslavia, Spain, and Morocco will be terminated under the provisions of the Farnsworth-Rogers amendment, section 620(a)(3) of the Foreign Assistance Act.

This legislation provides that with certain exceptions no funds available under the act shall be used to furnish assistance to any country that has not taken appropriate steps by February 14 to prevent its ships and aircraft from carrying any equipment, materials, or commodities to and from Cuba.

That the intent of Congress in respect to these countries that they should receive no aid is a first step in showing that we do mean business about isolating and getting rid of Castro. A second step should be to close our ports to ships of

any nation which allows any of its ships to trade with Cuba. Thirdly, we need increased activity by the Organization of American States, with full U.S. backing, to take the necessary steps to isolate Cuba to eliminate communism's Castro.

I want to commend Assistant Secretary of State Thomas Mann, for firming up this Government's position against Castro's suppliers.

DUAL COMPENSATION ACT

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 624, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7381) to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Post Office and Civil Service now in the hall and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Texas [Mr. YOUNG] is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE] and pending that I yield myself such time as I shall require.

(Mr. YOUNG asked and was given permission to revise and extend his remarks.)

Mr. YOUNG. Mr. Speaker, House Resolution 624 provides for consideration of H.R. 7381, a bill to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes. The resolution provides an open rule with 1 hour of general debate, making it in order to consider the substitute amendment now in the bill as an original bill.

The general purposes of H.R. 7381 are to aid the Federal Government in obtaining the best qualified people available for hard-to-fill civilian positions; to provide reasonably uniform and fair treatment